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UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO.	20-00136 JMS
)		
Plaintiff,)	GOVERNMENT'S CONSOLIDATED	
vs.)	SENTENCING MEMORANDUM	
)		
KAULANA ALO-KAONOHI, (01))		
LEVI AKI, JR. (02))	SENTENCING: March 2, 2023	
)		
Defendants)	JUDGE: J. MICHAEL SEABRIGHT	

GOVERNMENT'S CONSOLIDATED SENTENCING MEMORANDUM

I. Relevant Procedural History

On November 17, 2022, Defendants Kaulana Alo-Kaonohi and Levi Aki, Jr. were each convicted of a racially motivated hate crime, in violation of 18 U.S.C. § 249, for attacking a Caucasian man who had moved into their neighborhood (ECF 278). Following their convictions, the Probation Department filed under seal draft Presentence Investigation Reports (PSRs) for Defendants Alo-Kaonohi and Aki (ECF 291, 292), along with instructions for each party to file a Sentencing Statement addressing “objections, if any, concerning the factual information, sentencing guideline ranges and policy statements that remain in dispute.” (ECF 291-1, 292-1). On January 31, 2023, Defendant Alo-Kaonohi filed his sentencing statement (ECF 294), Defendant Aki filed a notice of no objection to his draft PSR (ECF 295), and the government filed its sentencing statement (ECF 296). On February 16, 2023, the Probation Department filed under seal final PSRs for Defendant Alo-Kaonohi (ECF 299) and Defendant Aki (ECF 300). Pursuant to Local Rule 32.2(e), the United States of America, by and through its undersigned counsel, hereby files its consolidated sentencing memorandum.

II. Factual Findings and Guidelines Calculations

The government agrees with the Probation Department’s factual findings outlined in the final PSRs. The government likewise agrees with the Guidelines calculations in the final PSRs, with one exception: for the reasons outlined in the

government’s sentencing statement (ECF 296 at pp. 2-4), the government respectfully submits that a two-level upward adjustment for obstruction should be applied to both defendants, which would result in Guidelines ranges of 97-121 months for Defendant Alo-Kaonohi and 78-97 months for Defendant Aki. Finally, the government agrees with the Probation Department that “[t]here do not appear to be any aggravating or mitigating factors regarding the offense or the defendant[s] which would warrant a departure from the applicable guideline range[s].” (ECF 299, ¶ 80; ECF 300, ¶ 80).

III. Sentencing Recommendations

For the reasons that follow, the government respectfully submits that sentences of 109 months for Defendant Alo-Kaonohi—the middle of his Guideline range, factoring in the obstruction enhancement—and 78 months for Defendant Aki—the low end of his requested Guideline range, factoring in the obstruction enhancement—are sufficient, but not greater than necessary, to promote the purposes of sentencing. 18 U.S.C. § 3553(a).

A. Sentencing Recommendation for Defendant Alo-Kaonohi

The government recommends a sentence of 109 months for Defendant Alo-Kaonohi based on the following aggravating factors.

The brutality of the attack on C.K. Defendant Alo-Kaonohi’s attack against C.K. was particularly brutal. Defendant Alo-Kaonohi grabbed C.K. by the hair, bent him over the staircase railing, and repeatedly punched him in the head so forcefully

that the railing detached from the staircase. Then Defendant Alo-Kaonohi grabbed C.K.'s roofing shovel and struck him in the back of the head—a blow that opened up a bloody wound on the back of C.K.'s head and, as Dr. Stephens testified at trial, could have killed him. After Defendant Aki knocked C.K. unconscious, Defendant Alo-Kaonohi kicked him while he was down on the ground, breaking two of C.K.'s ribs. Throughout the attack, Defendant Alo-Kaonohi threatened to kill C.K., tie him up and drag him, and shoot him with his own gun. The brutality of the attack is an aggravating factor that should be factored into Defendant Alo-Kaonohi's sentence.

Defendant Alo-Kaonohi's aggravating role. It is apparent from the surveillance video and the trial testimony of C.K. that Defendant Alo-Kaonohi was the primary instigator and aggressor during the charged incident: he was the first to confront and physically attack C.K., and throughout the attack, Defendant Aki appeared to follow his lead. The government did not request a two-level aggravating role adjustment, under U.S.S.G. § 3B1.1, but nevertheless respectfully submits that Defendant Alo-Kaonohi's role as the primary instigator and aggressor is an aggravating factor that should be factored into his sentence.

Defendant Alo-Kaonohi's history of violence. As documented in the final PSR, and reflected in the following table, Defendant Alo-Kaonohi has a long history of gratuitous and unprovoked violence.¹

¹ Police reports for these cases are appended to this memorandum as Exhibits A1, A2, and A3.

Date	Charge(s)	Result
3/27/09	Disorderly Conduct/Harassment	Guilty
3/25/12	Felony Assault (Lulu's Bar Attack)	Dismissed
1/9/13	Felony Assault (Unknown – see PSR ¶ 47)	Dismissed
7/20/14	Felony Assault (Steel Horse Saloon Attack)	Guilty
10/17/20	Felony Domestic Abuse – Strangulation	Dismissed

Disorderly Conduct/Harassment. On March 27, 2009, Defendant Alo-Kaonohi was harassing and attempting to fight various people. When the police responded, Defendant Alo-Kaonohi refused to leave and attempted to punch one of the officers.

██████████ *Attack.* On March 25, 2012, a bouncer at ██████████ in Waikulu approached Defendant Alo-Kaonohi and told him that the bar was closing and that it was time for him to leave. As the bouncer walked away, Defendant Alo-Kaonohi approached him from behind and, without warning, punched him in the jaw, knocking him unconscious, loosening his tooth, and breaking his nose and orbital bone. Defendant Alo-Kaonohi then got on top of the bouncer and continued to punch him until other patrons and employees pulled him off. Defendant Alo-Kaonohi was arrested for felony assault, but the case was dismissed when the bouncer decided not to press charges.

██████████ *Attack.* On July 20, 2014, three days after state authorities attempted to serve an arrest warrant upon Defendant Alo-Kaonohi for the hate crime against C.K., Defendant Alo-Kaonohi committed a second unprovoked attack on a white-skinned person, this time at the ██████████ in Maui. Surveillance video

of the incident shows the victim, P.I., was minding his own business by the bar when Defendant Alo-Kaonohi approached him from behind and tapped him on the shoulder. (Surveillance video and witness testimony establish that the two men had no prior interactions that evening, and P.I. later told authorities that he had never met Defendant Alo-Kaonohi before that night). As soon as P.I. turned around, Defendant Alo-Kaonohi reared back and punched him in the face, knocking P.I. to the ground. Defendant Alo-Kaonohi then jumped on top of P.I. and continued to pummel him while several patrons tried, unsuccessfully, to pull him off of the bloody and unconscious P.I., who suffered an open head wound requiring five staples to close; a concussion; and permanent brain damage. The following photographs depict P.I.'s injuries:



Domestic Violence Assault. Defendant Alo-Kaonohi's sentencing memorandum asserts that "[b]y the time 2020 rolled around, Kaulana was no longer the impulsive, angry, and violent person he had been in 2014." (ECF 301, at 9). And yet on October 17, 2020, Defendant Alo-Kaonohi was arrested for Felony Domestic Abuse – Strangulation for his assault on K.M., [REDACTED]. In a signed statement to the police, K.M. stated that Defendant Alo-Kaonohi grabbed her by the hair, in front of [REDACTED], and shoved her head into the seat of her vehicle so forcefully that she could not breathe. According to her signed statement, "she begged him to stop," and "he eventually let up." K.M. later reconciled with Defendant Alo-Kaonohi and decided not to press charges.

Defendant Alo-Kaonohi's history of gratuitous and unprovoked violence has resulted in significant physical injuries and emotional trauma to his many victims, but has not resulted in significant jail time for Defendant Alo-Kaonohi. Section 4A1.3 of the Guidelines provides that "If reliable information indicates that the defendant's criminal history category substantially under-represents the seriousness of the defendant's criminal history or the likelihood that the defendant will commit other crimes, an upward departure may be warranted." The government is not seeking an upward departure on this basis, but respectfully submits that Defendant Alo-Kaonohi's history of gratuitous and unprovoked violence—against police officers, bouncers, neighbors, strangers, and family members—is substantially under-

represented by his criminal history category and therefore is another aggravating factor warranting a significant Guideline sentence.

The impact of Defendant Alo-Kaonohi's crimes on his victims. Defendant Alo-Kaonohi's attacks on C.K. and P.I. have had a profound impact on their lives. They have suffered permanent physical injuries, significant financial losses, and, most importantly, life-changing emotional trauma. P.I.'s victim-impact statement is appended to this memorandum as Exhibit B. C.K. intends to give an in-person victim-impact statement at the defendants' sentencing hearings.

The foregoing aggravating factors—the brutality of the hate crime against C.K., Defendant Alo-Kaonohi's aggravating role in that offense, his history of similar gratuitous and unprovoked violence, and the effect of that violence on his victims—warrant a serious Guideline sentence. For all of those reasons, the government respectfully submits that a sentence of 109 months for Defendant Alo-Kaonohi is sufficient, but not greater than necessary, to promote the purposes of sentencing. 18 U.S.C. § 3553(a).

B. Sentencing Recommendation for Defendant Aki

With respect to Defendant Aki, the government respectfully submits that the aggravating and mitigating factors, on balance, militate in favor of a sentence of 78 months. Defendant Aki committed a brutal attack on C.K.—striking him in the head with a shovel, and using that shovel to smash out the windows of his Land Rover

while C.K. and his uncle tried to escape—but Defendant Aki was not the primary instigator or aggressor. Defendant Aki has a criminal record, with convictions for DUI, driving without a license, and criminal contempt of court, but he does not have a history of violence. For those reasons, the government respectfully submits that a sentence of 78 months for Defendant Aki is sufficient, but not greater than necessary, to promote the purposes of sentencing. 18 U.S.C. § 3553(a).

DATED: February 24, 2023, at Honolulu, Hawaii.

Respectfully submitted,

CLARE E. CONNORS
United States Attorney
District of Hawaii

KRISTEN M. CLARKE
Assistant Attorney General
Civil Rights Division

By: /s/ Micah Smith
MICAHA SMITH
Assistant U.S. Attorney

By: /s/ Christopher J. Perras
CHRISTOPHER J. PERRAS
Special Litigation Counsel

By: /s/ Tara Allison
TARA ALLISON
Trial Attorney

Exhibit A1

Incident/Investigation Report

Agency: MPD

Case Number: 12-013751

Date: 1/13/2020 17:44:09

Incident Information

Date/Time Reported 03/25/2012 01:56	Date/Time Found 03/25/2012 01:50	Date/Time Found 03/25/2012 01:56	Officer (13634) BAYLE, EDUARDO I JR
Incident Location [REDACTED] Lahaina, HI 96761			
Location Comment: @ [REDACTED]			

Charges

1	Charge Type State	Description ASSAULT 2	Statute 707-0711	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type BAR/NIGHT CLUB	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. Personal Weapons (hands, 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

Seq. # 1	Type INDIVIDUAL	Injuries Loss Of Teeth, Unconsciousness	Residency Status Resident	Ethnicity Non-Hispanic	
Name (Last, First, M) [REDACTED]			Race H	Sex M	DOB [REDACTED] Age [REDACTED]
Address [REDACTED] HI [REDACTED]				Home Phone [REDACTED]	
Employer Name/Address [REDACTED] / KIHEI			Occupation SECURITY	Business Phone	
Victim of Crimes 1		Driver's License	SSN	Cellular Phone [REDACTED]	

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Witnesses

Seq. # 1	Name (Last, First, M) [REDACTED]	Race F	Sex M	DOB [REDACTED]	Age [REDACTED]
Address [REDACTED] HI [REDACTED]				Home Phone [REDACTED]	
Employer Name/Address [REDACTED] / [REDACTED], KIHEI		Occupation COOK		Business Phone [REDACTED]	
Witness Type		Driver's License [REDACTED] HI	SSN [REDACTED]	Cellular Phone [REDACTED]	

Witness Notes

Property

Seq. # 1	Description DISK CONTAINING PHOTOGRAPHS		Serial Number A009305312E16		Make/Model MAXELL / CD-R
Property ID 314614	Owner STATE OF HAWAII		License / State		Color SILVER
Status EVIDENCE	Status Officer (13634) BAYLE, EDUARDO I JR	Quantity 1.00	Units of Measure	Value \$1.00	
Related Property Notes			Main Property Notes		

Related Name Relationships

[REDACTED]	is	STRANGER	to	KAONOH, KAULANA
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Synopsis

VI-1 reported being punched by OF-1 while within [REDACTED] VI-1 suffered a laceration on his right eyebrow, concussion without loss of consciousness, a fractured right orbital and nasal bone.

Refer to continuation.

Continuation

ON BEAT:

On 03/25/12 at approximately 0156 hours, I was approached by one of [REDACTED] Bouncers who related that one of their members had just been assaulted and that the responsible was about to leave the parking lot. Kaulana KAONOHU was pointed out as the responsible. KAONOHU was stopped and investigation of this case was initiated.

I asked Officer CARTER to stay with KAONOHU while I make checks for the Victim. While walking toward the restaurant, I noticed a large male walking toward my direction. The male was observed to be bleeding from the right side of his face. He immediately related that he was punched in the face. I asked the male, later identified as [REDACTED] for his identification. [REDACTED] gave this officer his identification and voluntarily gave the following statements.

VICTIM'S STATEMENTS: [REDACTED]

Name: [REDACTED]

Alias: [REDACTED]

Address: [REDACTED] HI [REDACTED]

Telephone: [REDACTED]

DOB: [REDACTED]

Work: [REDACTED] (Bouncer)

[REDACTED] related he was walking out of [REDACTED] when an unknown male punched him in the face which caused a laceration to the right side of his face and a loose front tooth. He stated after getting punched, he fell down onto the ground. He got back up but the assailant had left after punching him. [REDACTED] related he does not know who punched him. One of the witnesses pointed out the offender to be Kaulana KAONOHU at which time, [REDACTED] related that he wanted KAONOHU to be arrested and that he would like to press charges.

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██████████ related that he was punched once in the right side of his face but does not know if he lost consciousness. ██████████ kept on repeating "I got false cracked, that's doodoo." ██████████ was observed to be agitated from being struck and seemed to be somewhat incoherent. He kept on repeating the said phrases and was unable to remember anything else after the first punch.

██████████ was unable to give any more statement at this time.

OFFICER'S OBSERVATIONS:

██████████ was somewhat incoherent as he kept on repeating the phrase "I got false cracked, that's doodoo." While trying to obtain ██████████'s statement, he asked this officer twice on how I got his identification. ██████████ does not remember handing over his identification to this officer.

INJURIES:

██████████ was observed to have laceration above his right eyebrow, redness on his right eye, and a loose front tooth. Medic IV responded and related that ██████████ might have a concussion. ██████████ was transported to Maui Memorial Medical Center Emergency Room for further evaluation.

PHOTOGRAPHS:

Photographs were taken for evidence. Photographs are as follows.

1. ██████████'s front view with front tooth sticking lower than the rest
2. Right side of ██████████'s face
3. Laceration on ██████████'s right eye brow
4. Loose front tooth and redness of ██████████'s right eye
5. Bar floor with blood stains, where ██████████ fell down after getting punched
6. Closer view of the floor and blood stains
7. Another photo of the blood stains
8. Different view of the bar floor
9. Photograph of the Offender
10. Left forehead of Offender where he claimed to have been punched by ██████████
11. Injury to right hand

Photographs were copied to a CD-R and submitted as evidence.

MEDICAL TREATMENT:

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Medic IV transported [REDACTED] to Maui Memorial Medical Center for further treatment and evaluation.

WITNESS' STATEMENT: [REDACTED]

Name: [REDACTED]

Residence: [REDACTED] HI [REDACTED]

DOB: [REDACTED]

Telephone: [REDACTED]

Work: [REDACTED] (Bar Attendant)

[REDACTED] related he was working as a Bar Attendant at [REDACTED] on 03/25/12. He related as the bar was closing at approximately 0150 hours, he noticed [REDACTED] standing near the east side of the bar area. He related he was standing across from [REDACTED].

[REDACTED] related he noticed a male later identified as KAONOHU approached [REDACTED] from the northerly direction. He stated KAONOHU then punched [REDACTED] in the face once. [REDACTED] fell down onto the ground. He stated that he did not see anything else because the bar was blocking his view of [REDACTED] and KAONOHU. Other security officers then pulled KAONOHU away and escorted him away from [REDACTED].

[REDACTED] related that he thinks that [REDACTED] was knocked out because [REDACTED] was stumbling when he got up.

[REDACTED] has nothing further to add at this time.

SUPERVISOR NOTIFIED:

Sgt. D. CORPUZ was present at the scene. He was advised of the circumstances surrounding this incident.

SCENE:

After talking to the witnesses, it was determined that the assault occurred within [REDACTED] and not outside as the Victim claimed. The scene was located near the east side of the bar. [REDACTED] was standing near the bar facing the westerly direction when he was punched in the face by KAONOHU. The scene was photographed.

ARREST MADE:

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Date: 1/13/2020 17:44:09

Refer to supplementary report submitted by Officer CARTER.

ADDITIONAL INFORMATION:

Refer to supplementary report submitted by other Officers.

CID NOTIFIED:

On 03/25/12 at approximately 0355 hours, Lt. C. VIELA of the Lahaina CID was notified of the circumstances surrounding this investigation.

DOCTOR'S EVALUATION:

On 03/25/12 at approximately 0440 hours, [REDACTED] was contacted. According to E.R. personnel, [REDACTED] suffered a concussion without the loss of consciousness, a laceration to his right eyebrow, and a fractured right orbital and nasal bone. He was treated by [REDACTED] and was released.

OFFICER'S ACTIONS:

[REDACTED] was recontacted to obtain another statement. [REDACTED] was contacted via telephone and gave the following statements.

VICTIM'S STATEMENTS:

Name: [REDACTED]

Alias: [REDACTED]

Address: [REDACTED] HI [REDACTED]

Telephone: [REDACTED]

DOB: [REDACTED]

Work: [REDACTED] (Bouncer)

[REDACTED] related he was working as a bouncer (security) for [REDACTED] on 03/25/12. He stated at approximately 0150 hours, he and the other bouncers were asking their patrons to leave as the restaurant is closing for business. He noticed Kaulana KAONOHU and [REDACTED] still sitting on one of the booths

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of the restaurant.

██████████ related he approached the two and asked them to leave the premises as the two were hanging around. He then left to utilize the restrooms. He exited the restrooms, at which time, Kaulana KAONOHl approached him and introduced himself as "Rico." KAONOHl asked ██████████ "You remember me?" ██████████ related that he told KAONOHl that he does not know who he is and that he needs to leave.

██████████ stated that he noticed ██████████ talking off his shirt while within the restaurant. He sent his bouncers (security) to ██████████ to escort him off of the restaurant. He stated that while the other bouncers were busy with ██████████, he Kaulana KAONOHl approach him from his right side. ██████████ related that as he was turning towards Kaulana KAONOHl, he was struck in the face with a closed fist. He stated he fell down to the ground. He stated he "shook off the punch" and stood up as fast as he could. He related he got up he noticed Kaulana KAONOHl walking out of the restaurant and onto the parking lot.

██████████ related he only remembered the initial punch and that he does not remember getting punched while he was down on the ground.

██████████ stated he desires prosecution in this matter and that he will be contacting the prosecutor's office to pursue the matter.

██████████ has nothing further to add at this time.

INVESTIGATION:

Investigation thus far reveals that on 03/25/12 at approximately 0150 hours, Kaulana KAONOHl punched ██████████ in the face causing ██████████ to fall down. ██████████ suffered a laceration on his right eyebrow, concussion without lose of consciousness, a fractured right orbital and nasal bone. Kaulana KAONOHl was placed under arrest for the offense of ASSAULT II. He was transported to the Lahaina Police Station for processing where he refused to give any statement. ██████████ was transported to ██████████ where he was treated by ██████████ and released. The offense of ASSAULT II was thereby committed.

DISPOSITION:

Pending.

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Supplement Information

Supplement Date 03/25/2012 03:18:31	Supplement Type RESPONSIBLE STATEMENT	Supplement Officer (15040) CARTER, CRAIG W
Contact Name KAONOH, KAULANA	Supervising Officer (10670) KRAU, ANTHONY A	
Location Comment: @ [REDACTED]		

Offenders

Seq. # 1	Type INDIVIDUAL	Name (Last, First, M) KAONOH, KAULANA				SSN	
AKA		Race H	Sex M	DOB [REDACTED]	Age 22	Height 5'09"	Weight 210 lbs
Address [REDACTED] NV [REDACTED]						Home Phone	
Employer Name/Address UNEMPLOYED /					Occupation UNEMPLOYED	Business Phone	
Scars, Marks, Tattoos or other distinguishing features						Cellular Phone	
						Driver's License /	
Physical Characteristics							

Suspect Details**Other Persons Involved**

Name Code Involved, Other	Seq. # 1	Name (Last, First, M) [REDACTED]			Race H	Sex M	DOB [REDACTED]
Address [REDACTED] HI [REDACTED]				SSN	Home Phone [REDACTED]		
Employer Name/Address UNEMPLOYED /				Occupation LABOR	Business Phone		
Insurance Company	Policy Number	Expiration Date	Driver's License /		Cellular Phone		

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Supplement Notes**ON BEAT:**

On 03/25/12, at about 0155 hours, I observed a male party (bouncer at [REDACTED] approach Ofc. Eduardo BAYLE and myself, and state that a male party, identified as Kaulana KAONOH, had just "false cracked" another male party, identified as [REDACTED]. The male party pointed at KAONOH who was walking through the parking lot with a male party, identified as [REDACTED]. I contacted the two parties while Ofc. BAYLE returned to [REDACTED] to locate the victim.

Contact first made with [REDACTED]

INTERVIEWED OTHER:

[REDACTED]
 DOB: [REDACTED]
 SSN: [REDACTED]
 ADDRESS: [REDACTED]
 PHONE: [REDACTED]
 EMP: Self Employed
 HEIGHT: 5'7"
 WEIGHT: 220
 HAIR: Brown
 EYES: Brown

STATEMENT OF: [REDACTED]

Interviewed on 03/25/12, at about 0200 hours, within the Cannery Mall parking lot, [REDACTED] offered the following statement:

[REDACTED] stated that he and his son, Kaulana KAONOH were seated at a table within [REDACTED] when [REDACTED] approached their table and told them to leave [REDACTED]. Stated that he told [REDACTED] that he would finish his drink that he had paid for and then the two would leave. Stated that [REDACTED] became angry that they did not leave right away and [REDACTED] began yelling at them and removed his shirt. Stated that they left the table and attempted to leave, to which [REDACTED] began harassing Ka. KAONOH and pushing him toward the doorway. Stated that as they approached the exit, [REDACTED] punched Ka. KAONOH in the forehead, with a closed fist, and Ka. KAONOH defended himself by returning a punch to [REDACTED]. Stated that the punch struck [REDACTED] in the face and that he fell back to the ground.

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EMP: Unemployed

HEIGHT: 5'9"

WEIGHT: 210

HAIR: Brown

EYES: Brown

STATEMENT OF: Kaulana KAONOH

Kaulana KAONOH refused to offer a statement at this time.

Ka. KAONOH continued to spontaneously utter that he was defending himself and that [REDACTED] was the responsible in this matter.

ADDITIONAL INFORMATION:

Refer to reports submitted by other Officers.

DISPOSITION:

Pending...

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Agency: MPD

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Supplement Information

Supplement Date 03/25/2012 03:54:41	Supplement Type INITIAL REPORT	Supplement Officer (15152) MAULIOLA, JUSTIN L
Contact Name	Supervising Officer (10670) KRAU, ANTHONY A	
Location Comment: @ [REDACTED]		

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Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
2	[REDACTED]	W	M	[REDACTED]	38
Address [REDACTED] HI [REDACTED]					Home Phone [REDACTED]
Employer Name/Address [REDACTED] LAHAINA		Occupation BARTENDER		Business Phone	
Witness Type EYE WITNESS		Driver's License [REDACTED] HI		SSN	Cellular Phone

Witness Notes

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Supplement Notes**ASSIGNMENT/ARRIVAL:**

On 03/25/2012 at about 0156 hours, I overheard OFC. BAYLE call off at [REDACTED] at Lahaina Cannery Mall regarding an ASSAULT type case. I then proceeded to that location to assist.

I arrived on scene at about 0200 hours.

OFFICER'S ACTIONS:

Upon arrival, I made contact with OFC. BAYLE. Upon speaking with OFC. BAYLE, I proceeded into [REDACTED] to search for any witnesses to the ASSAULT.

STATEMENT OF WITNESS:

On 03/25/2012 at about 0205 hours, I obtained the following statement from [REDACTED] while within [REDACTED]

DOB: [REDACTED]

HI [REDACTED]

PH: [REDACTED]

Bartender [REDACTED]

He began by saying that he is a bartender at [REDACTED]. He stated that at around the time the club closes, usually about 0140-0145 hours, he observed a bouncer, [REDACTED], making his rounds letting people know that the club was closing. He stated that [REDACTED] was standing on the East side of the bar (closest to the parking lot) and facing West toward the bar. He stated that he further observed a local male, Kaulana KAONOH, walking around the bar toward [REDACTED] from the North side of the club. He stated that he observed KAONOH approach [REDACTED] standing on [REDACTED] right side. He related that he observed [REDACTED] turn toward KAONOH when KAONOH punched him one time in the face with a closed fist. He related that as soon as [REDACTED] was hit, he fell to the ground. He related that KAONOH then got onto [REDACTED] and began hitting him again. He related that once the altercation went onto the ground, he could not really see what exactly was happening as the height of the bar was blocking his view. He stated that numerous other parties within began to try to stop KAONOH from hitting [REDACTED]. He stated that once KAONOH got up, he walked out and into the parking lot.

He related that he did not see any other altercations throughout the evening between [REDACTED] and [REDACTED]

Incident/Investigation Report

Agency: MPD

Case Number: 12-013751

Date: 1/13/2020 17:44:09

KAONOH. He related that [REDACTED] definitely did NOT say anything to KAONOH. when he was punched.

He stated that he observed the male that the officer's arrested to be KAONOH.

Nothing further to add.

ADDITIONAL INFORMATION:

Refer to other officer's reports for additional information.

Incident/Investigation Report

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Supplement Information

Supplement Date	Supplement Type	Supplement Officer
05/08/2012 10:10:34	FOLLOW UP	(1915) TIHADA, GARRETT M
Contact Name	Supervising Officer	
		(1915) TIHADA, GARRETT M
Location Comment: @ [REDACTED]		

387

387

Supplement Notes

[REDACTED] 032512 12-013751

ASSIGNMENT:

Detective Garret TIHADA
Criminal Investigation Division, Lahaina.

On Thursday, 03/18/12 at 1300 hours, I was assigned by Lieutenant Chad Veila to conduct a follow-up investigation in this ASSAULT II case.

REVIEW OF REPORT SUBMITTED:

On Thursday, 03/28/12 at 1500 hours, I reviewed the report(s) submitted Lahaina Patrol Officers Eduardo BAYLE, Craig CARTER, and Justin MAULIOLA. Upon review of the report the following was needed:

- 1.Re-contact complainant [REDACTED] verify his statement and check on prosecution.
- 2.Re-contact witnesses in this case.
- 3.Conduct criminal history check on alleged responsible, Kaulana KAONOHII.

COMPLAINANT RE-CONTACTED:

On 03/28/12 at 1745 hours, I called [REDACTED] by phone and left a message for him.

WITNESS CONTACTED: [REDACTED]

Incident/Investigation Report

Agency: MPD

Case Number: 12-013751

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On 03/28/12 at 1805 hours I contacted [REDACTED] via telephone. I reviewed his statement with him and he related it was accurate and added the following:

[REDACTED] stated after he observed [REDACTED] get punched by KAONOH, it is accurate that he could not see the two since they were on the ground; however, he did see KAONOH's fist pop up over the bar counter about three or four times as if he was punching

WITNESS CONTACTED CONTINUED:

[REDACTED] on the ground. [REDACTED] related just prior to KAONOH punching [REDACTED] KAONOH's father had a verbal altercation with [REDACTED] near the restrooms. He observed KAONOH's father remove his shirt and at that time he observed KAONOH calming his father down. About thirty seconds later [REDACTED] arrived at the bar and just hung out there.

[REDACTED] related immediately after hanging out at the bar, KAONOH approached [REDACTED] and punched him without warning.

[REDACTED] stated there was no altercation between KAONOH and [REDACTED] prior to KAONOH punching [REDACTED].

COMPLAINANT RE-CONTACTED:

On Tuesday, March 28, 2012 at about 1835 hours [REDACTED] returned my call.

[REDACTED] related he is the [REDACTED] I reviewed the report with [REDACTED] he stated most of his statement is accurate, except that he started to remember more about the incident.

[REDACTED] said he wanted to add that after the initial punch he fell to the ground and KAONOH punched him three to four more times. He also wanted to add that he did not have any physical or verbal altercation with KAONOH before being punched.

When asked if he had gone to the doctors, [REDACTED] related he has not seen a doctor for a follow up visit, but he was told by [REDACTED] (Emergency room doctor) that he suffered a fractured nose, concussion, and fractured right orbital.

[REDACTED] related the bartender, [REDACTED] and one of his bouncers, [REDACTED] were witnesses to this incident.

Incident/Investigation Report

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Date: 1/13/2020 17:44:09

CRIMINAL HISTORY CHECK:

I conducted a criminal history check on Kaulana KAONOHI, SSN: unknown, DOB: [REDACTED] and the checks revealed this was the only incident on his record.

WITNESS STATEMENT: [REDACTED] [REDACTED]

On March 31, 2012 at about 1845 hours I interviewed [REDACTED].

[REDACTED] related on the night of March 25, 2012 at the time the bar was closing he was behind the bar. [REDACTED] was at the bar on the northeast side of it, facing west. [REDACTED] didn't see what led up to [REDACTED] getting punched, but he did see the end of KAONOHI punching [REDACTED]. After the first punched [REDACTED] went down to the ground. KAONOHI got on top of [REDACTED] and punched him at least two more times. [REDACTED] ran around the bar, but by then [REDACTED] had been restrained by another bouncer.

[REDACTED] said the attack was unprovoked.

WITNESS STATEMENT: [REDACTED] [REDACTED]

[REDACTED] related he was on duty the night of March 25, 2012 as a bouncer at [REDACTED]

[REDACTED] said at closing time (approx. 0130 hours) he had just cleared the dance floor area of patrons. As he walked to the front of the bar he noticed [REDACTED] with his shirt off. Kaulana KAONOHI then grabbed his father ([REDACTED]) and started to walk him out of the bar. [REDACTED] didn't see what happened next, but he heard the sound of a punch. [REDACTED] turned around and saw [REDACTED] on the ground. Kaulana KAONOHI then got on top of [REDACTED] and started punching him with a closed fist about three to four times.

[REDACTED] grabbed Kaulana KAONOHI and walked him out of the bar. As he walked Kaulana KAONOHI out of the bar he saw the police outside. The police came over and started an investigation.

When asked, [REDACTED] stated he did not see any verbal or physical confrontation between Kaulana KAONOHI and [REDACTED]

INVESTIGATION:

The investigation further reveals on 03/25/12, at approximately 0150 hours, Kaulana KAONOHI approached [REDACTED] who is the [REDACTED]. Without warning punched [REDACTED] in face causing [REDACTED] to fall to the ground. KAONOHI then punched [REDACTED] three to four more times in the face while [REDACTED] was on the ground. It is unknown at this time if [REDACTED] lost consciousness; however,

Incident/Investigation Report

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██████████ stated he suffered a concussion, a fractured right orbital and fractured nasal bone. KAONOHU was located and placed under arrest for ASSAULT II.

DISPOSITION:

Refer to the Office of the Prosecuting Attorney for review.

MAUI COUNTY POLICE DEPARTMENT

OBTS/CCH TRANSMITTAL/ARREST REPORT

☐ P.S. BOOKING
 ☐ A.G. CASE
 ☐ OTHER
ARREST NO
12-002075

STATE ID. NO		POLICE DEPT HI HI0050000		BOOKING NUMBERS 12-01461		OBTS TRACK NG NO		INCIDENT NO. 12-013751	
DEFENDANT'S LAST NAME KAONOHI, KAULANA		FRST	MIDDLE	SEX M	RACE H	AGE 22	DOB	HT 5-09	WT 210
HAIR BROWN		EYES BROWN		SSN		OCCUPATION UNEMPLOYED		EMPLOYER/LAST EMPLOYED UNEMPLOYED	
ADDRESS [REDACTED] NV [REDACTED]				RES PHONE		BIRTHPLACE HAWAII		CITIZEN US	YRS IN STATE 22
MARITAL SINGLE				DATE 03/25/2012		TIME 01:50		SOBRIETY 2	
PLACE OF OFFENSE 1221 Honoapiilani Hwy, Lahaina, HI 96761				DATE 03/25/2012		TIME 02:26		COURT DATE/TIME	
PLACE OF ARREST/BOOKING 1221 Honoapiilani Hwy, Lahaina, HI /LAHAINA				DATE 03/25/2012		TIME 02:26		COURT DATE/TIME	
ARRESTED FOR	FINAL CHARGE	MOD	CLASS	REPORT NO	BAL SET	HOW RELEASED	BAIL POSTED	BY WHOM	RECEIPT NO
1 ASSAULT 2 -	707-0711		FC	12-002075-001	0	RPI	0	RPI	
2									
3									
4									
5									
COMPLAINANT LAST NAME	FIRST NAME	SEX	HOME ADDRESS (STREET, CITY, STATE)				VISITOR	RES PHONE	BUS PHONE
1 [REDACTED]		M	[REDACTED] HI [REDACTED]				N	[REDACTED]	
2									
3									
4									
5									
ARRESTED BY (15040) CARTER, CRAIG W		ASSISTED BY		HOW ARRESTED INVESTIGATION		WARRANT NO		BOOKED BY (15187) VASQUEZ,	
DATE BOOKED 2012-03-25		TIME BOOKED 03:16		TRANSPORTED BY (15040) CARTER, CRAIG W		WARRANT CHECK BY (15040) CARTER, CRAIG		APPARENT INJURIES (DESCRIBE) NONE OBSERVED OR COMPLAINED OF	
TREATMENT REFUSED		CUSTODIAL SEARCH (15040) CARTER, CRAIG		YEAR 2012		MAKE KRAU		MODEL A	
COLOR A		LIC NO		STATE		DISPOSITION OF VEHICLE		DISPOSITION OF KEYS	
REGISTERED OWNER LAST NAME		FIRST		DRIVER'S LICENSE NO		HOLD FOR INVESTIGATION (LAST NAME)		CHARGED BY	
RELEASED BY (10670) KRAU, ANTHONY A		DATE RELEASED 03/25/2012		TIME RELEASED 04:57		CID VICE OTHER		DATE/TIME CHARGED / :	

SYNOPSIS (DOCUMENT FACTUAL EVIDENCE FOR EACH OFFENSE)

OF1 was arrested for the mentioned offense after the victim reported being punched by the defendant while within Lulu's Bar. The victim suffered an inch laceration on his right eyebrow and a loose front tooth. Victim was transported to MMC for further treatment. Defendant was transported to the Lahaina Station without incident.

Refer to continuation.

REPORT WRITTEN BY (15040) CARTER, CRAIG W	DATE 03/25/2012	TIME 03:20	SUPERVISOR APPROVING (10670) KRAU, ANTHONY A	EMP NO 10670
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POLICE COPY - ORIGINAL

Exhibit A2

Incident/Investigation Report

Agency: MPD

Case Number: 14-030884

Date: 1/13/2020 15:57:54

Incident Information

Date/Time Reported 07/20/2014 01:15	Date/Time Found 07/20/2014 01:15	Date/Time Found 07/20/2014 01:15	Officer (15379) GREEN, JONATHAN J
Incident Location [REDACTED] Wailuku, HI 96793			
Location Comment: : [REDACTED]			

Charges

1	Charge Type State	Description ASSAULT 2	Statute 707-0711	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type BAR/NIGHT CLUB	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. Personal Weapons (hands, 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

Seq. # 1	Type INDIVIDUAL	Injuries Severe Laceration, Apparent Minor Injury	Residency Status Resident	Ethnicity Non-Hispanic	
Name (Last, First, M) [REDACTED]			Race W	Sex M	DOB [REDACTED] Age [REDACTED]
Address [REDACTED] HI [REDACTED]				Home Phone [REDACTED]	
Employer Name/Address [REDACTED]			Occupation SERVER	Business Phone	
Victim of Crimes 1		Driver's License	SSN	Cellular Phone [REDACTED]	

Incident/Investigation Report

Agency: MPD

Case Number: 14-030884

Date: 1/13/2020 15:57:54

Witnesses

Seq. #	Name (Last, First, M)	Race	Sex	DOB	Age
1	[REDACTED]	W	F	[REDACTED]	[REDACTED]
Address				Home Phone	
[REDACTED] HI [REDACTED]				[REDACTED]	
Employer Name/Address		Occupation		Business Phone	
[REDACTED] [REDACTED]		BARTENDER		[REDACTED]	
Witness Type		Driver's License		Cellular Phone	
[REDACTED]		[REDACTED] HI		[REDACTED]	

Witness Notes

Related Name Relationships

[REDACTED]	is	STRANGER	to	ALO KAONOH, KAULANA
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Synopsis

VI1 reported on the above date/time to have been assaulted by unknown Offender(s) while within the said location. VI1 reported to have been punched numerous times in the face and head area, and sustained a laceration to the left rear side of his head. Medic 1 arrived on the scene and later transported VI1 to [REDACTED] for further medical attention. Refer to Supplementary.

Continuation

ASSIGNMENT:

Ofc. J. GREEN
 FTO Ofc. S. WAIOHU
 D-1, Beat 11, Wailuku
 Wailuku Patrol Division

On 07/20/14 (Sunday) at approximately 0117 hours, I was on duty and assigned to Wailuku Patrol (IA/A11) when I was assigned by Dispatch to respond to 1234 Lower Main Street, Steel Horse Saloon, in Wailuku, for an Disorderly type case in progress, where caller reported two males fighting.

ARRIVAL:

I arrived at the above location on 07/20/14 at approximately 0117 hours, and met the victim, an adult male later identified as [REDACTED]

SCENE/OFFICER`S OBSERVATIONS:

Incident/Investigation Report**Agency:** MPD**Case Number:** 14-030884**Date:** 1/13/2020 15:57:54

Upon arrival, I observed a group of people standing outside fronting the [REDACTED]. An adult male, identified as [REDACTED] approached me and reported that he had been attacked. [REDACTED]'s head, face, chest, arms, and hands were observed to be covered in blood. Further checks of [REDACTED] revealed he was bleeding from his nose, mouth, and head. [REDACTED] then provided the following statement.

VICTIM'S STATEMENT: [REDACTED] (A/M/Cau)

Interviewed on 07/20/14 at approximately 0120 hours, fronting 1234 Lower Main Street, Wailuku, where he related the following:

He had been dancing alone near the front of the bar area minding his own business. While he was dancing, an unidentified person attacked him from behind and hit him in the head and face area multiple times. He did not see who hit him, as his back had been facing his attacker. He has never been to the bar before and was there with a friend, later identified as [REDACTED]. Neither he nor [REDACTED] had any problems with anyone at the bar prior to the attack.

[REDACTED] complained of pain to his head and mouth areas and requested to be treated by medics.

Nothing further to add.

INJURIES:

[REDACTED] sustained an approximate 1.5" laceration to the rear left side of his head, resulting from being punched multiple times. Victim also sustained swelling to his upper lip area.

MEDICS DISPATCHED:

On 07/20/14 at approximately 0135 hours, Medic-1 responded to the scene and treated [REDACTED] for his injuries. [REDACTED] was later transported to the [REDACTED] in Alpha condition for further medical treatment.

WITNESS/OTHER'S STATEMENT: [REDACTED] (A/F/Cau/Cit)

Interviewed on 07/20/14 at approximately 0145 hours, within [REDACTED] where she related the following:

[REDACTED] is a Bartender and had been working behind the bar at the time if the incident. She heard a commotion coming from the front of the bar area and observed a young local male attacking [REDACTED]. She observed [REDACTED] to be on the ground in a fetal position while the local male was punching him in the head and face area. She later observed two other unidentified male parties stop the young local male and escorted him outside to an unknown location.

Incident/Investigation Report**Agency:** MPD**Case Number:** 14-030884**Date:** 1/13/2020 15:57:54

██████ had never seen the Offender or ██████ in the bar before and did not recognize them.

Nothing further to add.

WEAPONS:

Offender used his fists as weapons in this crime. No other weapons were reported or seen.

SURVEILLANCE:

Surveillance cameras were observed within the bar area. Attempts to obtain video footage were met with negative results as the manager, identified as ██████ was unable to access the computer which contains the video footage. Per ██████ his mother, identified as ██████ is the only person who can access the video surveillance footage.

PHOTOGRAPHS:

(3) Digital images of the injuries sustained by the victim submitted attached to this report.

Photo #1: Digital image of ██████'s face and chest

Photo #2: Digital image of left side of ██████'s head

Photo #3: Digital image of laceration

RESPONSIBLE'S DESCRIPTION:

The unidentified local male responsible in this case is described as:

Adult/Male/ Hawaiian

Medium skin tone

Short brown hair approximately 2" in length

Approximately 5'-8" - 5'-9" tall

Between 26-27 years of age

Last seen wearing a dark colored T-shirt and unknown color shorts.

CHECKS MADE:

Incident/Investigation Report**Agency:** MPD**Case Number:** 14-030884**Date:** 1/13/2020 15:57:54

On 07/20/14 at approximately 0156 hours, checks of the immediate area by Officers for the Offender were met with negative results.

DOCTOR`S REPORT:

On 07/20/14 at 0340 hours, I spoke with emergence nurse [REDACTED] who informed me that [REDACTED] was treated by Emergency Room Doctor [REDACTED] for a laceration to the rear left side of his head. Per [REDACTED] administered 7 staples to [REDACTED]'s laceration.

ADDITIONAL INFORMATION:

Refer to all reports submitted under this report number.

FOLLOW-UP:

I will be contacting the bar manager [REDACTED] on 07/20/14 to retrieve video surveillance footage from the bar's cameras. The bar will be open on 07/20/14 at 1000 hours and will be closing on 07/21/14 at 0100 hours.

INVESTIGATION:

Thus far reveals that on 07/20/14 (Sunday) at approximately 0115 hours, within the [REDACTED] located at, 1234 Lower Main Street, Wailuku, an unidentified adult local male attacked [REDACTED] by punching him multiple times in the head and face area. [REDACTED] sustained an approximate 1.5" laceration to his head. Medic 1 arrived at the scene and later transported [REDACTED] to [REDACTED] Emergency Room where he received 7 staples to the rear left side of his head. [REDACTED] was later released without further incident.

DISPOSITION:

Pending...

Officer J. GREEN E-15379
07/20/14 @ 0600
Wailuku Patrol Division

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MAUI POLICE DEPARTMENT

[REDACTED]

COMPLAINANT

14-030884

REPORT NO.

VOLUNTARY STATEMENT

I have been warned and advised of my rights by Officer

Det. Loo

of the Maui County Police Department, and I fully understand my rights. I wish to waive my rights and give the following statement:

I [REDACTED] I worked at [REDACTED] Time Started: [REDACTED]
 [REDACTED] on July 20 2014,
 After I finished work we decide me and
 my friend [REDACTED] to go play pool at
 [REDACTED] there was a band playing
 music alive, we danced a little bit
 then I was talking with my friend
 [REDACTED] suddenly I felt someone
 tap on my shoulder I turned around
 then this man punched my face, I fell
 down then he continued punching
 then the next thing I remember I
 was on the street bleeding from my

Completed at _____ hours this 5 day of September 10 2014

Witnessed by:

D.A. [REDACTED] 908

42

20F2

MAUI POLICE DEPARTMENT



COMPLAINANT

14-030884

REPORT NO.

VOLUNTARY STATEMENT

I have been warned and advised of my rights by Officer DET. LAW
 of the Maui County Police Department, and I fully understand my rights. I wish to waive my rights and give
 the following statement:

Time Started: _____

more and my head the bleeding was
 not stopping. Finally the ~~fire~~ ambulance
 came and took me to ER.
 Prior to the assault there was no
 incident with this person. I never
 saw him before I never met him
 there was no interaction or communication
 before the assault.
 The assault was totally unprovoked
 and I don't know why he assaulted me

Completed at _____ hours this 5 day of September 19 2014

Witnessed by:

DJ. [Signature] 9308

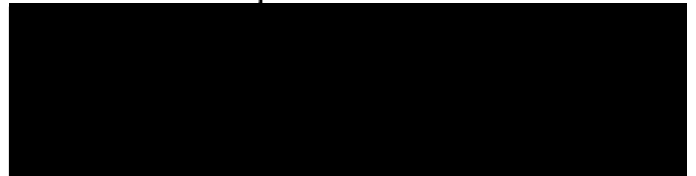


Exhibit A3

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Incident Information

Date/Time Reported 10/17/2020 20:30	Date/Time Found 10/17/2020 20:30	Date/Time Found 10/17/2020 20:30	Officer (15516) MASUDA, CHARLES-BLASE P
Incident Location N Firebreak Rd / Haleakala Hwy, Kahului, HI			
Location Comment:			

Charges

1	Charge Type State	Description ABUSE OF FAMILY OR HOUSEHOLD MEMBER - STRANGULATION	Statute 709-0906	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY/ROAD/STREET/SI	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. Personal Weapons (hands, 2. 3.
Entry	Exit	Criminal Activity N			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group
2	Charge Type State	Description ABUSE OF FAMILY OR HOUSEHOLD MEMBER - PHYS., WITH INJURY	Statute 709-0906	UCR 13A	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type HIGHWAY/ROAD/STREET/SI	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input type="checkbox"/> No	Weapons 1. Personal Weapons (hands, 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Victims

Seq. # 1	Type INDIVIDUAL	Injuries Apparent Minor Injury	Residency Status Resident	Ethnicity Non-Hispanic
Name (Last, First, M) [REDACTED]			Race H	Sex F
			DOB [REDACTED]	Age 32
Address [REDACTED] HI [REDACTED]				Home Phone [REDACTED]
Employer Name/Address [REDACTED] /			Occupation STUDENT	Business Phone
Victim of Crimes 1,2		Driver's License [REDACTED] / HI	SSN [REDACTED]	Cellular Phone [REDACTED]

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Offenders

Seq. # 1	Type INDIVIDUAL	Name (Last, First, M) ALO KAONOH, KAULANA KAPEHEHOLANA				SSN	
AKA Kaulana Kaonohi		Race H	Sex M	DOB [REDACTED]	Age 30	Height 5'09"	Weight 230 lbs
Address [REDACTED], HI [REDACTED]						Home Phone	
Employer Name/Address /				Occupation		Business Phone	
Scars, Marks, Tattoos or other distinguishing features						Cellular Phone [REDACTED]	
						Driver's License /	
Physical Characteristics SHIRT - Blouse / T-shirt; PANTS - Dress/skirt / Jeans							

Suspect Details**Other Persons Involved**

Name Code Involved, Other	Seq. # 3	Name (Last, First, M) M [REDACTED] -K [REDACTED], K [REDACTED]			Race H	Sex M	DOB [REDACTED]
Address [REDACTED] HI [REDACTED]				SSN		Home Phone	
Employer Name/Address /				Occupation		Business Phone	
Insurance Company		Policy Number	Expiration Date	Driver's License /		Cellular Phone	

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Vehicles

Seq. # 1	Year 2017	Color SILVER	Style RUGGED TRL, SPORT	Make NISSAN	Model
VIN [REDACTED]	License Plate Type REGULAR	License / State [REDACTED] HI	License Year 2021	Owner [REDACTED]	
Status	Status Date		Value		
Vehicle Notes					

Related Name Relationships

[REDACTED]	is	BOYFRIEND/GIRLFRIEND	to	ALO KAONOH, KAULANA
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Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Synopsis

On 10/17/20 at about 2020 hours, VI-1 reported she and her boyfriend with child in-common, identified as OF-1, were involved in a verbal argument within VI-1's vehicle bearing Hawaii State license plates [REDACTED], while it was parked on Haleakala Highway near North Firebreak Road in Kahului. VI-1 reported the argument turned physical when OF-1 grabbed her hair and pushed her head backwards over the center console, causing pain and her breathing to be impeded for five seconds. Their one-year-old child was witness to this incident.

Refer to continuation.

Continuation

Charles-Blase MASUDA
D-1, Beat 22, Kahului
Wailuku Patrol Division

ASSIGNMENT/ARRIVAL:

On 10/17/20 at about 2031 hours, I was assigned by Central Dispatch to respond to the intersection of Haleakala Highway and North Firebreak Road in Kahului regarding an Abuse type incident.

I arrived at the above location at about 2037 hours.

OFFICERS OBSERVATIONS:

Upon arrival I met with an adult female who identified herself as [REDACTED] (hereinafter referred to as [REDACTED]) who was seated within the drivers seat of vehicle bearing Hawaii State license plates [REDACTED], which was parked on the east shoulder of the roadway. As I approached the driver's window, she began to yell and scream at me incoherently about her vehicles key and her son.

SOBRIETY/DEMEANOR:

[REDACTED] appeared highly emotional and was crying while she spoke to me. As I spoke to [REDACTED] I observed a strong odor of liquor emanating from her person.

STATEMENT OF: [REDACTED]

A/F/CIT

Interviewed on 10/17/20 at about 2039 hours, on the east shoulder of the roadway of Haleakala Highway and

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

North Firebreak Road in Kahului. She proved the following statement.

██████ reported she is the girlfriend of Kaulana ALO KAONOHU (hereinafter referred to as ALO KAONOHU) and they have a one-year-old child in-common, identified as ██████ (hereinafter referred to as ██████)

On 10/17/20 at about 2020 hours, while driving home after eating dinner at the Alehouse located at 355 East Kamehameha Avenue in Kahului, she and ALO KAONOHU began to argue about going to the beach tomorrow and being direct about the needs of ██████. She related that ALO KAONOHU had called his brother, ██████ (hereinafter referred to as ██████) to ask him pick him up on the side of the road on Haleakala Highway. After pulling over on the west shoulder of Haleakala Highway just above the intersection with North Firebreak Road, ALO KAONOHU grabbed her bag out of her hands.

██████ reported ALO KAONOHU briefly exited the vehicle before grabbing her by her hair and pulled her head down to front passenger's seat of the vehicle causing her pain to her head. As she struggled with ALO KAONOHU, he again grabbed her hair on the top of her head and forced her head backwards over the center console of the vehicle toward the rear seat which caused her breathing to be impeded for about five seconds. ██████ reported ALO KAONOHU stopped after she begged him relayed that she could not breathe and further related that she "Thought she was going to die" if he did not let go. ALO KAONOHU then grabbed the vehicle's keys and began to walk toward Kahului. ██████ related ██████ who as seated less then two feet from her was startled and began to cry as the argument escalated and became physical.

██████ relayed she followed ALO KAONOHU approximately one hundred fifty to two hundred feet where his brother, identified as ██████ and his girlfriend, identified as ██████ (hereinafter referred to as ██████), arrived within vehicle bearing Hawaii State license plates ██████. After getting her keys back from ALO KAONOHU, she walked back to her vehicle and discovered that ██████ had been taken from his car seat which was located behind the drivers seat of the vehicle. ██████ relayed she looked for ██████ for several minutes before she called ██████ who informed her that her mother, ██████ had been contacted and was coming to pick up ██████

Shortly after Police arrived.

██████ related her head hurt from her hair being pulled but declined any medical attention.

Nothing further added.

MEDICAL TREATMENT:

██████ declined any medical treatment for her injuries.

OBSERVABLE INJURIES:

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██████████ was observed to have redness and a small abrasion behind her right ear. She complained of pain to the top of her head due to ALO KAONOHU pulling her hair.

VICTIM VOLUNTARY STATEMENT/STRANGULATION SUPPLEMENT:

After obtaining a statement from ██████████, she agreed to fill out the Victim Voluntary Statement Form MPD form 100). ██████████ initialed and signed the form indicating that the information written on the form was true and correct. ██████████ then completed the Strangulation Supplemental form.

Referred to attached forms.

SUPERVISOR NOTIFIED:

Sergeant D. ARNDS was on scene during this investigation.

DOMESTIC VIOLENCE UNIT NOTIFIED:

On 10/17/20 at about 2144 hours, Sergeant E. QUINTERO of the Domestic Violence Unit was contacted by Sergeant D. ARNDS and advised of this incident.

STATEMENT OF: ██████████ A/F/CIT

Refer to Officer S. LANDSIEDEL's report.

STATEMENT OF: ██████████ A/M/CIT

Refer to Officer S. LANDSIEDEL's report.

STATEMENT OF: ██████████ A/F/CIT

Refer to Officer S. LANDSIEDEL's report.

DIGITAL IMAGES:

Eight (8) digital images were taken of the victim and the scene. The images were transfer to a CD-R and submitted as evidence under this report number. They depict the following:

Image1 depicts ██████████'s full body.

Image2 depicts ██████████'s upper body.

Image3 depicts ██████████ pointing to the area on her had where she felt pain.

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Image4 depicts the abrasion behind [REDACTED]'s left ear.

Image5 depicts the area behind [REDACTED]'s right ear.

Image6 depicts the rear/passenger side of vehicle [REDACTED].

Image7 depicts the front/driver side of vehicle [REDACTED].

Image8 depicts the front seats of vehicle [REDACTED].

Property Control Number: 767442

FURTHER DEVELOPMENTS:

After speaking with MOIKEHA, Officer LANDSIEDEL related that ALO KAONOHU was in-route to speak with Officers on scene regarding this incident.

On 10/17/20 at about 2204 hours, ALO KAONOHU was driven to the scene by [REDACTED] within vehicle [REDACTED].

ARREST/TRANSPORT:

On 10/17/20 at about 2202 hours, on the east shoulder of Haleakala Highway at the intersection of North Firebreak Road in Kahului, ALO KAONOHU was placed under arrest for the offense of Felony Abuse of a Family or Household Member - Strangulation and Felony Abuse of a Family Member - In the Presence of a Minor. ALO KAONOHU was transported to the Wailuku Police Station for processing without incident.

SOBRIETY/DEMEANOR:

ALO KAONOHU displayed no signs of impairment and was calm and cooperative throughout this investigation.

CONSTITUTIONAL RIGHTS:

On 10/17/20 at about 2233 hours, within the Processing Room of the Wailuku Police Station located at 55 Mahalani Street in Wailuku. He was advised to silently read the form as it was read to him. ALO KAONOHU initialed and signed the form indicating that he would waive his rights.

Refer to attached form.

STATEMENT OF: ALO KAONOHU, Kaulana

A/M/CIT

Interviewed on 10/17/20 at about 2234 hours, within the Processing Room of the Wailuku Police Station located at 55 Mahalani Street in Wailuku. He provided the following statement.

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ALO KAONOHAI reported he has been in a relationship with [REDACTED] for approximately three years and they have a son, [REDACTED] who is a year and six months old.

On 10/17/20 at about 2000 hours, after eating dinner at the Alehouse located at 355 East Kamehameha Avenue in Kahului, [REDACTED] was upset because she used her credit card to pay for dinner. He knew [REDACTED] was going to act this way because she had several drinks with her dinner. As she drove away from the restaurant, he called [REDACTED] to drive up Haleakala Highway to come pick him up. While they drove mauka bound on Haleakala Highway, [REDACTED] began to accelerate to more than sixty miles per hour while swerving on the roadway. He demanded that she pull over because he was worried that she was out of control and not thinking about their son. After [REDACTED] pulled over on Haleakala between North Firebreak Road and Keahua Road, she began to punch him in the face and pulled his hair. ALO KAONOHAI stated he pushed her off of him and pulled the ignition key out and exited the vehicle.

ALO KAONOHAI related [REDACTED] followed him for about two hundred feet makai bound on the roadway when she again began to slap, punch him as she demanded that he return her keys. He asked [REDACTED] to tell [REDACTED] to drive up to [REDACTED]'s vehicle to retrieve [REDACTED]. When he saw that [REDACTED] was out of the vehicle he gave [REDACTED] back her keys and was he and [REDACTED] ran into the bushes to hide from [REDACTED]. After [REDACTED] drove toward North Firebreak Road, he asked [REDACTED] to call [REDACTED] (hereinafter referred to as [REDACTED]), his mother-in-law to pick up [REDACTED].

After [REDACTED] called him and relayed that she had [REDACTED] within her vehicle he agreed meet with Officers at the intersection to give his side of the story.

ALO KAONOHAI stated he was not injured as a result of this altercation.

Nothing further added.

BAIL ACKNOWLEDGMENT:

On 10/17/20 at about 2246 hours, within the Processing Room on the Wailuku Police Station located at 55 Mahalani Street in Wailuku, ALO KAONOHAI was informed of his Bail utilizing MPD form 121. He related he understood and signed the form.

Refer to attached.

WARNING CITATION ISSUED:

On 10/17/20 at about 2248 hours, ALO KAONOHAI was issued a Warning Citation to stay away from [REDACTED] and the address located at [REDACTED] in [REDACTED]. This Warning Citation is set to expire on 10/20/20 at 1800 hours. Central Dispatch was notified of the issuance of this Citation.

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Refer to attach.

WOMEN HELPING WOMEN:

Refer to Officer S. LANDSIEDEL's report.

BODY WORN CAMERA:

This incident was recorded via Body Worn Camera, (Taser AXON #X81353696) issued to this Officer.

ADDITIONAL INFORMATION:

Refer to all other reports documented under this report number.

INVESTIGATION:

The investigation thus far reveals that on 10/17/20 at about 2020 hours, while parked on the shoulder of Haleakala Highway Near North Firebreak Road in Kahului, the offense of Felony Abuse of a Family or Household Member - In the Presence of a Minor and Felony Abuse of a Family or Household Member - Strangulation was committed when Kaulana ALO KAONOHU grabbed [REDACTED] by her hair and restricted her breathing for five seconds by forcing her head backwards over the center console within vehicle bearing Hawaii State license plates [REDACTED].

Due to this incident, [REDACTED] sustained pain to her head and an abrasion behind her left ear. [REDACTED] declined any medical attention. Witness to this altercation was their one-year-old son.

On 10/17/20 at about 2202 hours, on the east shoulder of Haleakala Highway at North Firebreak Road in Kahului, ALO KAONOHU was placed under arrest for the offense of Felony Abuse of a Family or Household Member - Strangulation and Felony Abuse of a Family or Household Member - In the Presence of a Minor. He was transported to the Wailuku Police Station without incident.

DISPOSITION:

Arrested.

Officer Charles-Blase MASUDA e#15516
P.O. II, Wailuku Patrol Division
10/17/20 @ 0345 Hours.

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Supplement Information

Supplement Date 10/21/2020 10:07:05	Supplement Type EVIDENCE	Supplement Officer (15404) GANDAU LI, ASHLEY U
Contact Name		Supervising Officer (11867) QUINTERO, EDITH N
Location Comment:		

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Property

Seq. # 1	Description CD-R CONTAINING MOIKEHA STATEMENT	Serial Number LH3155XB20122349D2	Make/Model VERBATIM / CD-R
Property ID 767811	Owner STATE OF HAWAII	License / State	Color SILVER
Status EVIDENCE	Status Officer (15404) GANDAU LI, ASHLEY U	Quantity 1.00	Units of Measure Value \$1.00
Related Property Notes		Main Property Notes	

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Supplement Notes

148016 Voucher ID created for this supplement.

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Date: 12/8/2020 10:02:00

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
10/21/2020 11:19:24	FOLLOW UP	(15404) GANDAULI, ASHLEY U
Contact Name		Supervising Officer
		(11867) QUINTERO, EDITH N
Location Comment:		

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Supplement Notes**ASSIGNMENT:**

Officer Ashley GANDAULI

Domestic Violence Unit

Criminal Investigation Division - Wailuku

On October 20, 2020, this Officer was assigned to conduct a follow-up to this FELONY ABUSE OF FAMILY OR HOUSEHOLD MEMBER - PHYSICAL WITH INJURY case, documented under Maui Police Department ("MPD") report 20-037327.

The victim was identified as [REDACTED]

The alleged responsible, identified as Kaulana ALO KAONOHU (hereinafter "Kaulana"), was placed under arrest for FELONY ABUSE OF FAMILY OR HOUSEHOLD MEMBER - PHYSICAL WITH INJURY and FELONY ABUSE OF FAMILY OR HOUSEHOLD MEMBER - STRANGULATION on October 17, 2020.

RELATIONSHIP:

[REDACTED] and Kaulana are girlfriend and boyfriend. They have one (1) year old son, K [REDACTED] M [REDACTED] -K [REDACTED] (hereinafter "K [REDACTED]") in common.

REVIEW OF REPORT SUBMITTED BY PATROL:

This Officer reviewed the report(s) submitted by Wailuku Patrol Officer(s) Charles-Blase MASUDA (hereinafter "Officer Masuda") and Steven LANDSIEDEL (hereinafter "Officer Landsiedel") in regards to this case.

Per Officer Masuda's report:

On October 17, 2020 at approximately 2031 hours, Officer Masuda and Officer Landsiedel were assigned by

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Dispatch to respond to the area of Haleakala Highway and North Firebreak Road in Kahului, County of Maui, State of Hawaii for an abuse type case.

Upon arrival, Officer Masuda made contact with [REDACTED] who appeared highly emotional and was crying while she spoke. As Officer Masuda spoke to [REDACTED], he observed a strong odor of liquor emanating from her person.

[REDACTED] stated Kaulana is her boyfriend and they have a one (1) year old son, K [REDACTED] in common.

[REDACTED] stated on October 17, 2020 at approximately 2020 hours, while driving home from eating dinner at Ale House located at 355 East Kamehameha Avenue in Kahului, she and Kaulana began to argue about going to the beach and being direct about the needs of K [REDACTED]. Kaulana then call his brother, [REDACTED] (hereinafter "[REDACTED]") asking to be picked up on the side of the road on Haleakala Highway. After she pulled over on the west bound shoulder of Haleakala Highway just above the North Fire Break Road, Kaulana grabbed her bag out of her hands.

Kaulana then briefly exited the vehicle before grabbing her by her hair and pulled her head down to front passenger's seat of the vehicle causing her pain to her head. As she struggled with Kaulana, he again grabbed her hair on the top of her head and forced her head backwards over the center console of the vehicle toward the rear seat which caused her breathing to be impeded for about five seconds. Kaulana stopped after she begged him and relayed she could not breathe. While her breathing was impeded she "Thought she was going to die" if he did not let go. Kaulana then grabbed the vehicle keys and began to walk toward Kahului.

[REDACTED] related K [REDACTED] who as seated less than two feet from her was startled and began to cry as the argument escalated and became physical.

She followed Kaulana on foot approximately one hundred fifty to two hundred feet where his brother, [REDACTED] and [REDACTED]'s girlfriend, identified as [REDACTED] (hereinafter referred to as [REDACTED]), arrived.

[REDACTED] was able to get her keys back from Kaulana. She returned to her vehicle where she discovered that K [REDACTED] had been taken from his car seat, which was located behind the driver's seat. She looked for K [REDACTED] for several minutes before she called [REDACTED] who informed her that her mother, [REDACTED] (hereinafter "[REDACTED]") had been contacted and was coming to pick up K [REDACTED].

[REDACTED] related her head hurt from her hair being pulled, however she declined medical treatment.

[REDACTED] was observed to have redness and a small abrasion behind her right ear and complained of pain to the top of her head from Kaulana pulling her hair.

On October 17, 2020 at approximately 2125 hours, with the assistance of Officer Masuda, [REDACTED] completed a

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Victim Voluntary Statement Form (MPD Form 100) indicated that she was "physically hurt, harmed, sustained pain, or injured because of this altercation" by her boyfriend, Kaulana. [REDACTED] also indicated K [REDACTED] was present and witnessed the altercation. [REDACTED] authenticated the aforementioned form by initialing and signing her name on it.

On October 17, 2020 at approximately 2137 hours, with the assistance of Officer Masuda, [REDACTED] completed a Strangulation Supplement Form (MPD Form 100-b) indicating while Kaulana pulled her head backwards for approximately five (5) seconds she could not breathe.

On October 17, 2020 at approximately 2204 hours, Kaulana was driven back to the scene by [REDACTED] and he was placed under arrest for the offense of Felony Abuse of a Family or Household Member - Strangulation and Felony Abuse of a Family Member - In the Presence of a Minor. Kaulana was transported to the Wailuku Police Station for processing without incident.

On October 17, 2020 at approximately 2233 hours, while within the Processing Room of the Wailuku Police Station, Officer Masuda advised Kaulana of his Constitutional Rights utilizing MPD Form 103. Kaulana initialed and signed the form indicating he understood his rights.

Kaulana elected to waive his rights and related he has been in a relationship with [REDACTED] for approximately three (3) years and they have son, K [REDACTED] who is a year and six (6) months old.

On October 17, 2020 at about 2000 hours, after eating dinner at the Alehouse located at 355 East Kamehameha Avenue in Kahului, [REDACTED] was upset because she used her credit card to pay for dinner. He knew she was going to act this way because she had several drinks with her dinner. As they drove away from the restaurant, he called [REDACTED] to drive up Haleakala Highway to pick him up. While they drove mauka bound on Haleakala Highway, [REDACTED] began to accelerate to more than sixty miles per hour while swerving on the roadway. He demanded that she pull over because he was worried that she was out of control and not thinking about their son. After [REDACTED] pulled over on Haleakala between North Firebreak Road and Keahua Road, she began to punch him in the face and pulled his hair. He pushed her off him, pulled the ignition key out, and exited the vehicle.

[REDACTED] then followed him on foot for about two hundred feet makai bound on the roadway when she again began to slap, punch him, as she demanded that he return her keys. He asked [REDACTED] to tell [REDACTED] drive up to [REDACTED]'s vehicle to retrieve K [REDACTED]. When he saw that K [REDACTED] was out of the vehicle he gave [REDACTED] back her keys and he and [REDACTED] ran into the bushes to hide from her. After [REDACTED] drove toward North Firebreak Road, he asked [REDACTED] to call [REDACTED] (hereinafter referred to as "[REDACTED]"), his mother-in-law to pick up K [REDACTED].

After [REDACTED] called him and stated she had K [REDACTED] within her vehicle, he agreed meet with Officers at the intersection to give his side of the story.

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Kaulana stated he was not injured as a result of this altercation.

On October 17, 2020 at approximately 2248 hours, Officer Masuda issued Kaulana a Warning Citation (Maui Police Department Form 101) prohibiting him from having any contact with [REDACTED] and to stay away from the residence, located at [REDACTED] in [REDACTED]. Said Warning Citation is set to expire on October 20, 2020 at 1800 hours.

Officer Landsiedel made contact with [REDACTED] who related he had dinner with at Ale House with [REDACTED], Kaulana and K[REDACTED]e. [REDACTED], Kaulana and K[REDACTED] left after dinner at approximately 2045 hours, he received a phone call from Kaulana asked for him to be picked up. As he and [REDACTED] were traveling mauka on Haleakala Highway, he observed Kaulana holding his cell phone in the air on the shoulder of Haleakala Highway just above North Fire Break Road. [REDACTED] further observed that Kaulana's head was down and he was hunched over, [REDACTED] had Kaulana's shirt in her right hand pull on it from the collar area. [REDACTED] was hitting Kaulana to the right side of his head with what appeared to be a closed fist, striking him with the bottom of her hand.

Upon review of this report, the following follow up is needed at this time.

- 1.Re-contact victim, [REDACTED] for statement verification.
- 2.Conduct a Criminal History check on Kaulana.

VICTIM RE-CONTACTED: [REDACTED]

On October 21, 2020 at approximately 0926 hours, this Officer made contact with [REDACTED] via phone [REDACTED] and she related she did not want to go over her statement she provided. She does not want to press charges against Kaulana. On the night of the incident, she called the police because she was worried about her son. She did not want to complete the Victim Voluntary Statement and the Strangulation Supplemental forms.

[REDACTED] stated she and Kaulana have been dating for about three (3) years and they have a son, K[REDACTED] in common.

She and Kaulana have their arguments, however this was the first time he has been physical with her.

She thinks Kaulana may have felt threatened and reacted the way he did to protect himself as she was trying to get her purse away from him. She did not want him going through her purse because she did not want him to grab his wallet and leave. She remembers yelling at Kaulana but does not remember what she said.

At no time during the incident, Kaulana put his hands around her neck. Kaulana did not choke her nor did he impede her breathing. He immediately let go of her hair when she told him to do so.

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During the incident, she felt like she could not breathe because of the angle of her body as she was between the front seats of the vehicle and her neck was bent back over the center console. She also believes the medication she takes for her Hyperthyroidism and a heart condition may have elevated her heart rate, making it difficult to breathe.

As of today (10/21/20), she and Kaulana are trying to reconcile. They have been communicating through her mother, Susan regarding K[REDACTED].

Nothing further to add at this time.

End of Interview: 0934 Hours

EVIDENCE:

Item No.1:

CD-R containing audio interview of [REDACTED].

Interview Date: October 21, 2020

Interview Times: 0926 hours - 0934 hours

Property Control Number: 148016-767811

CHILD PRESENT:

K[REDACTED] M[REDACTED]-K[REDACTED] who was born April 25, 2019, was approximately one (1) years old at the time this incident, which occurred on October 17, 2020. K[REDACTED] is the mutual son of [REDACTED] and Kaulana.

CRIMINAL HISTORY CHECK:

On October 21, 2020, utilizing Criminal Justice Information Center (CJIS), this Officer conducted a check for a criminal arrest record on: Kaulana ALO-KAONOHI; SSN: [REDACTED]; DOB: [REDACTED].

Checks revealed a total of twenty (20) severities; which include two (2) felony convictions, seven (7) felony non-convictions, two (2) pending felonies, three (3) misdemeanor non-convictions and six (6) petty misdemeanor, violations convictions.

ADDITIONAL INFORMATION:

Refer to reports submitted under MPD Report 20-037327 for additional information.

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SUMMARY OF INVESTIGATION:

On October 17, 2020 at about 2020 hours, [REDACTED] reported she and her boyfriend with a child in-common, Kaulana, were involved in a verbal argument within [REDACTED]'s vehicle bearing Hawaii license plates [REDACTED] while it was parked on Haleakala Highway near North Firebreak Road in Kahului. [REDACTED] reported the argument turned physical when Kaulana grabbed her hair and pushed her head backwards over the center console, causing pain and her breathing to be impeded for five seconds. Their one-year-old son was present and witnessed this incident.

On October 17, 2020 at approximately 2125 hours, with the assistance of Officer Masuda, [REDACTED] completed a Victim Voluntary Statement Form (MPD Form 100) indicated that she was "physically hurt, harmed, sustained pain, or injured because of this altercation" by her boyfriend, Kaulana. [REDACTED] also indicated K [REDACTED] was present and witnessed the altercation. [REDACTED] authenticated the aforementioned form by initialing and signing her name on it.

On October 17, 2020 at approximately 2137 hours, with the assistance of Officer Masuda, [REDACTED] completed a Strangulation Supplement Form (MPD Form 100-b) indicating while Kaulana pulled her head backwards for approximately five (5) seconds she could not breathe.

On October 17, 2020 at approximately 2204 hours, Kaulana willingly returned to the scene and was placed under arrest for the offense of Felony Abuse of a Family or Household Member - Strangulation and Felony Abuse of a Family Member - In the Presence of a Minor. Kaulana was transported to the Wailuku Police Station for processing without incident.

On October 17, 2020 at approximately 2234 hours, while within the Wailuku Station Processing Room Kaulana was advised of his Constitutional Rights utilizing MPD Form 103. Kaulana acknowledged that he understood his Constitutional Right by initialing and signing his name on the abovementioned form. Kaulana related that he was willing to waive his Constitutional Rights and provided the following statement.

In short, he and his girlfriend, [REDACTED] had left Ale House and were heading home within vehicle [REDACTED]. [REDACTED] was upset because she used her card to pay for dinner. He knew she would be upset because she had several drinks with dinner. As they left the restaurant, he called [REDACTED] to pick him up on Haleakala Highway.

They began arguing while traveling mauka on Haleakala Highway and [REDACTED] accelerated to over 60 miles per hour while swerving on the roadway. He demanded for [REDACTED] to pull over because he was worried that she was out of control and not thinking about K [REDACTED]. [REDACTED] pulled over and she began to punch him in the face and pulled his hair. He then pushed her off, pulled the keys out of the ignition, exited the vehicle and [REDACTED] followed him.

Once [REDACTED] arrived and he knew K [REDACTED] was with [REDACTED], he gave [REDACTED] back her car keys.

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On October 17, 2020 at approximately 2248 hours, Officer Masuda issued Kaulana a Warning Citation (Maui Police Department Form 101) prohibiting him from having any contact with [REDACTED] and to stay away from the residence, located at [REDACTED] in [REDACTED]. Said Warning Citation is set to expire on October 20, 2020 at 1800 hours.

On October 21, 2020, this Officer contacted [REDACTED] and she related she does not desire prosecution. She stated, during the incident Kaulana's hands were not around her neck. He did not choke her nor did he impede her breathing. She felt like she could not breathe due to the positioning of her body that was between the front seats of the vehicle and her neck was bent back. She also believes her medication may have elevated her heart rate, making it difficult to breathe.

DISPOSITION:

Referred to the Office of the Prosecuting Attorney for review.

Ashley GANDAULI E-15404

Criminal Investigation Division

Domestic Violence Unit

Date: October 22, 2020 Time: 1040 hours

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Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Supplement Information

Supplement Date 10/17/2020 22:53:34	Supplement Type INITIAL REPORT	Supplement Officer (15493) LANDSIEDEL, STEVEN N
Contact Name	Supervising Officer (13830) ARNDS, DENNIS L	
Location Comment:		

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Other Persons Involved

Name Code Involved, Other	Seq. # 1	Name (Last, First, M) ALO KAONOH, KAWENA	Race H	Sex M	DOB [REDACTED]
Address [REDACTED], HI [REDACTED]		SSN [REDACTED]	Home Phone [REDACTED]		
Employer Name/Address /		Occupation	Business Phone		
Insurance Company	Policy Number	Expiration Date	Driver's License [REDACTED] HI	Cellular Phone [REDACTED]	
Name Code Involved, Other	Seq. # 2	Name (Last, First, M) [REDACTED]	Race H	Sex F	DOB [REDACTED]
Address [REDACTED], HI [REDACTED]		SSN [REDACTED]	Home Phone [REDACTED]		
Employer Name/Address /		Occupation	Business Phone		
Insurance Company	Policy Number	Expiration Date	Driver's License [REDACTED] HI	Cellular Phone [REDACTED]	
Name Code Involved, Other	Seq. # 4	Name (Last, First, M) [REDACTED]	Race W	Sex F	DOB [REDACTED]
Address [REDACTED], HI [REDACTED]		SSN [REDACTED]	Home Phone [REDACTED]		
Employer Name/Address SELF EMPLOYED /		Occupation	Business Phone		
Insurance Company	Policy Number	Expiration Date	Driver's License /	Cellular Phone [REDACTED]	

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Date: 12/8/2020 10:02:00

Supplement Notes

Ofc. Steven LANDSIEDEL E#15493

D1, Beat 20, Kahului

Wailuku Patrol Division

ASSIGNMENT/ARRIVAL:

On 10/17/20 at about 2031 hours, I was assigned by Dispatch to respond to the area of Haleakala Highway and North Firebreak Road in Kahului, County of Maui, State of Hawaii for an abuse type case. I arrived at about 2037 hours and the following events transpired.

OBSERVATION/ACTIONS:

When I arrived I observed vehicle bearing Hawaii license plate [REDACTED] parked on the shoulder of the Kahului bound lanes, at the intersection of Haleakala Highway and North Firebreak Road. There was a female seated within the driver seat who was crying and emotionally distraught. She was later identified as [REDACTED]. She was talking with Ofc. C. MASUDA and was having a hard time focusing and relaying information.

While Ofc. C. MASUDA was speaking to [REDACTED] a Toyota pickup pulled. I approached the vehicle to ascertain if the operator was in need of assistance. The operator related that she was the mother of [REDACTED] and identified herself as [REDACTED]. [REDACTED] gave the following statement.

STATEMENT OF: [REDACTED]

Interviewed near the intersection of Haleakela Highway and North Firebreak Road.

[REDACTED] related that she had just received a phone call from Kaulana ALO KAONOHU (Kaulana) who is [REDACTED]'s boy friend and the father to their child K [REDACTED] M [REDACTED] -K [REDACTED] (K [REDACTED]). He informed [REDACTED] that he and [REDACTED] got into an argument and that he called his brother [REDACTED] and asked him to come and pick up K [REDACTED]. Kaulana informed her that [REDACTED] and his girlfriend [REDACTED] came and got K [REDACTED] and asked that [REDACTED] meet with [REDACTED] so she could pick up K [REDACTED].

[REDACTED] related that she was in contact with [REDACTED] via phone and that she and K [REDACTED] were safe and in the parking lot of Lowe's awaiting her arrival. Susan believes that [REDACTED] Kaulana, [REDACTED] were all out watching the "fights" or having dinner. She is not sure what started the argument and related that her daughter has acted "erratic" in the past but not recently. [REDACTED] further related that [REDACTED], Kaulana and K [REDACTED] all live

Incident/Investigation Report

Agency: MPD

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Date: 12/8/2020 10:02:00

with her at [REDACTED] in [REDACTED].

Nothing further to add at this time.

CHECKS MADE:

I then followed [REDACTED] to Lowe's to verify that K [REDACTED] was safe and with [REDACTED]. I arrived at Lowe's and made contact with [REDACTED] who was seated within the driver seat of vehicle bearing license plate [REDACTED] (HI). [REDACTED] had K [REDACTED] with her and he was in good health. K [REDACTED] was then released to his grandmother [REDACTED] and I obtained the following statement from [REDACTED]

STATEMENT OF [REDACTED]

Interviewed within the Lowe's parking lot located at 214 Hookele Street in Kahului.

[REDACTED] related that she and her boyfriend were with Kaulana, [REDACTED] and their son K [REDACTED] having dinner at Ale house. After dinner she and her boyfriend [REDACTED] left, shortly after at about 2045 hours, [REDACTED] received a phone call from his brother Kaulana requesting that they come and pick up K [REDACTED].

[REDACTED] related that they located the vehicle and that K [REDACTED] was within by himself. She and [REDACTED] got out and she could hear what sounded like Kaulana and [REDACTED] arguing on the "side" of the car but did not see them. [REDACTED] then grabbed K [REDACTED] and gave him to her. She and K [REDACTED] then left the area leaving [REDACTED] there with Kaulana and [REDACTED].

[REDACTED] drove to Lowe's where she got in contact with K [REDACTED]'s grandmother [REDACTED]. [REDACTED] and police arrived shortly after.

Nothing further to add at this time.

OFFICER ACTIONS:

I then followed [REDACTED] and K [REDACTED] back to the intersection of Haleakela Highway and North Firebreak Road. While there Kaulana and [REDACTED] arrived. I then obtained a statement from [REDACTED].

STATEMENT OF [REDACTED]

Interviewed near the intersection of Haleakela Highway and North Firebreak Road.

[REDACTED] related that he, his girlfriend [REDACTED], Kaulana [REDACTED] and their son K [REDACTED] were eating dinner at Ale house in Kahului. Kaulana, [REDACTED] and K [REDACTED] left after dinner. At about 2045 hours, he received a phone call from his brother Kaulana asking him to come pick him up. Kaulana never related where he was at. While

Incident/Investigation Report

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██████ and ██████ were en route to pick up Kaulana, he observed Kaulana on the shoulder of Haleakela Highway just above North Firebreak. Kaulana was holding a cell phone out in the air. ██████ further observed that Kaulana's head was down and he was hunched over, ██████ had Kaulana's shirt in her right hand pull on it from the collar area. ██████ was hitting Kaulana to the right side of his head with what appeared to be a closed fist, striking him with the bottom of her hand.

██████ further related that Kaulana and ██████ are approximately two hundred feet away from there vehicle which is farther up on the shoulder. ██████ realized that his nephew K██████ is in the vehicle by himself. ██████ then separates ██████ and Kaulana, ██████ goes after Kaulana again.

██████ realizes ██████ is not going to stop and he runs up to where K██████ is and takes him out of the vehicle. ██████ gives K██████ to ██████ and he calls ██████ at this point, asking her to come and pick up K██████ from ██████.

After ██████ and K██████ leave the area, ██████ makes his way back towards Kaulana and ██████. ██████ passes him walking to her vehicle. ██████ then leaves the area and begins making loops on the highway trying to locate ██████ and Kaulana. She then stops near the intersection of Haleakela and North Firebreak and police arrive shortly after.

Nothing further to add at this time.

WOMEN HELPING WOMEN:

On 10/18/20 at about 0009 hours, Women Helping Women were contacted and I spoke with ██████ who was then informed of the information pertaining to this case.

ADDITIONAL INFO:

Refer to all other reports submitted.

Ofc. Steven LANDSIEDEL E#15493
Wailuku Patrol Division
10/18/20 @ 0028 hours

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Supplement Information

Supplement Date 10/18/2020 04:08:47	Supplement Type EVIDENCE	Supplement Officer (15516) MASUDA, CHARLES-BLASE P
Contact Name	Supervising Officer	
Location Comment:		

123

Property

Seq. # 1	Description CD-R CONTAINING DIGITAL IMAGES	Serial Number	Make/Model
Property ID 767442	Owner STATE OF HAWAII	License / State	Color
Status EVIDENCE	Status Officer (15516) MASUDA, CHARLES-BLASE	Quantity 1.00	Units of Measure DU
Value \$1.00			
Related Property Notes		Main Property Notes	

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Supplement Notes

147848 Voucher ID created for this supplement. 20-037327

Felony Abuse - Strangulation

Eight (8) digital images taken of the victim and scene. The images were transferred to CD-R and submitted as evidence under this report number.

CM e#15516

10/17/20 @ 2139 Hours

PCN:

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

Supplement Information

Supplement Date	Supplement Type	Supplement Officer
11/09/2020 17:19:52	COMPLAINANT STATEMENT	(15547) PACLIB, NICHOLE R
Contact Name		Supervising Officer
		(13830) ARNDS, DENNIS L
Location Comment:		

123

Supplement Notes

Officer Nichole PACLIB

ACS/Wailuku

11/09/2020

ASSIGNMENT:

On 11/09/2020, at approximately 1720 hours, while assigned to ACS at the Wailuku Police Station, a female, later identified as [REDACTED] requested to withdrawal her complaint in an Abuse incident that occurred on 10/17/2020, documented under report #20-037327.

COMPLAINANT STATEMENT: [REDACTED]

On 11/09/2020, while at the Wailuku Police Station, [REDACTED] related that she no longer desired to pursue prosecution in the Abuse case reported on 10/17/2020, between her and her boyfriend, Kaulana ALO KAONOHU (hereinafter "ALO KAONOHU"). [REDACTED] related that she and ALO KAONOHU have reconciled their relationship.

Nothing further to add.

WITHDRAWAL OF PROSECUTION:

On 11/09/2020, at approximately 1538 hours, [REDACTED] indicated her desire to Withdrawal her complaint for prosecution in the Abuse case, documented under report # 20-037327.

Refer to MPD form 403, attached.

DISPOSITION:

Forward to Prosecutors for Review

Incident/Investigation Report

Agency: MPD

Case Number: 20-037327

Date: 12/8/2020 10:02:00

N. PACLIB

E#15547

11/09/2020 @ 1728 HOURS

Report # 20-037327**ABUSE OF A FAMILY OR HOUSEHOLD MEMBER VICTIM VOLUNTARY STATEMENT FORM**

Were you physically hurt, harmed, sustained pain, or injured because of this altercation?

Yes / No

Initial Ku

Are you in need of medical treatment as a result of this incident?

Yes / No

Initial Ku

We are asking for your assistance to complete this form by providing us with a written statement. If you are unable to do so, the Police Officer will write your statement for you and allow you to make any necessary corrections before you sign this form. YOU ARE NOT REQUIRED TO COMPLETE THIS FORM. Additional writing space is provided on the reverse side of this form.

I will give a written statement (initial) yes

I will NOT give a written statement (initial) _____

1. Were any children present / witnesses to the incident being reported?

Yes / No Initial _____

Name [REDACTED] Age 1.5 Yrs Sex M Relationship to you Son Relationship to person who hurt you Son

Name _____ Age _____ Sex _____ Relationship to you _____ Relationship to person who hurt you _____

Name _____ Age _____ Sex _____ Relationship to you _____ Relationship to person who hurt you _____

2. Who hurt you (First, Middle, and Last name) and what is your relationship to that person (Type of relationship and how long)?

Kaulana Ab-Kamohi, Boyfriend - 3 years

3. Where and when did this occur (date, time, and location)?

10/17/20 - 8:20 pm firebreak / back of car

4. Describe how you were physically abused (i.e., slapped, punched, kicked, strangled, etc. Indicate what hand, leg, or body part was used)?

Hair pulled pushed down on with hands

5. What part(s) of your body hurt and/or have injuries and what type of injuries (to the best of your knowledge)?

bruising on head

6. Describe in your own words what happened. Include anything before or after the incident.

We were arguing I pulled over on the side of the road. He wanted to leave

7. Where was/were the minor or minors during the altercation (location and distance)?

He was in his car seat located in the car seat behind the driver seat less than a foot behind me.

8. Was/Were the minor or minors affected by the altercation (What was their demeanor prior, during, and after the incident)?

Baby was startled by yelling & then calm, no crying after incident.

I affirm this information was written by me or by Officer _____.

Print name _____

Signature _____

Signature of Witnessing Officer [Signature] 1556Employee No. 1556Date 10/17/20Time 2125 Hours

inches

9. Has the suspect physically abused you before? Yes _____ No ☒10. Does the suspect have access to firearms? Yes _____ No ☒

11. Did you tell anyone after the incident? Yes _____ No _____

If yes, name and contact information: _____

Additional space for writing as needed (indicate what sections are being continued):

he called his brother to come & get him and asked for wallet in my bag. I grabbed my bag he tried to grab it away from me then grabbed me by the hair and repeatedly pushed my head into the chair yelling at me. He grabbed the top of my bag & ran away from my car.

When he grabbed my hair at one point he had pushed my head back in between the seats, and I was having trouble breathing.

I affirm this information was written by me or by Officer _____

Print name _____

Signature _____

Signature of Witnessing Officer _____

Employee No. _____

Date

Time

10/17/20

2125 HOURS

MAUI POLICE DEPARTMENT - STRANGULATION SUPPLEMENT

CASE # 20-037327 INCIDENT DATE 10/17/20 TODAY'S DATE 10/17/20

INFORMATION

TO BE COMPLETED BY POLICE OFFICER

- Name (Last, first, middle) _____ DOB _____ Contact # _____
1. Method and/or Manner (how were you strangled?) ☐ One Hand - R ☐ One Hand - L ☐ Two Hands ☐ Forearm ☐ Knee/Foot
☐ Chokehold Other (explain) HE PULLED HER HEAD BACKWARDS FOR ABOUT 5 SECONDS
2. Is the Suspect right or left handed? ☒ Right Handed ☐ Left Handed ☐ Unknown
3. Estimate how long you were strangled _____ Minute(s) 5 Second(s) Multiple times? ☐ Yes # _____ ☒ No
4. Estimate Pressure Used (check) ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☒ 8 ☐ 9 ☐ 10 (1=WEAK - 10 = EXTREMELY STRONG)
5. What did Suspect say during Strangulation? DOES NOT RECALL
6. Describe Suspect's demeanor during strangulation? ANGRY, FURIOUS
7. In your own words describe how you were strangled: FORCE OF HER HEAD BEING PULLED BACKWARDS OVER THE CERVICAL CORD
8. What did you think was going to happen during strangulation? SHE COULDN'T BREATHE
9. Did you physically stop or attempt to physically stop the strangulation? ☒ Yes # _____ ☐ No ENTIRE TIME.
10. What stopped the strangulation? SHE BEGGED HIM TO STOP HE EVENTUALLY LET UP
11. Has Suspect strangled you before? ☐ Yes # _____ ☒ No

SYMPTOMS

SYMPTOMS	DURING	AFTER	VOICE CHANGES	SWALLOWING CHANGES
Unable to breathe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Painful to speak	<input type="checkbox"/> Neck tenderness
Difficult to breathe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Raspy/hoarse voice	<input type="checkbox"/> Trouble swallowing
Physical pain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Coughing	<input type="checkbox"/> Painful to swallow
Rapid breathing	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> Unable to speak	<input type="checkbox"/> Neck pain
Shallow breathing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Whispering	<input type="checkbox"/> Other _____
Coughing up blood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Other _____	
Nausea	<input type="checkbox"/>	<input type="checkbox"/>		
Vomiting/dry heaving	<input type="checkbox"/>	<input type="checkbox"/>		
Dizziness	<input type="checkbox"/>	<input type="checkbox"/>		
Headache	<input type="checkbox"/>	<input type="checkbox"/>		
Feel faint	<input type="checkbox"/>	<input type="checkbox"/>		
Disoriented	<input type="checkbox"/>	<input type="checkbox"/>		
			Explain other _____	

12. Loss of consciousness? ☐ Yes ☒ No ☐ Not sure Unexplained injury? Describe _____
13. Any change of loss of hearing during/after strangulation? ☐ Yes ☒ No Describe _____
14. Any change or loss of vision during/after strangulation? ☐ Yes ☒ No Describe _____
15. How did your body/head feel during/after strangulation? Describe NO
16. Did you... ☐ Urinate ☐ Defecate ☐ Feel the urge to do one or both? _____

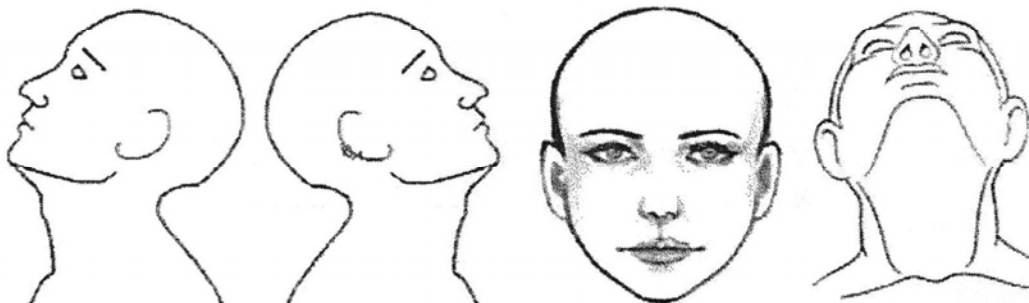
FACE	EYES AND EYELIDS	NOSE	EARS
<input type="checkbox"/> Red or flushed	<input type="checkbox"/> Petechiae to R eye	<input type="checkbox"/> Petechiae	<input type="checkbox"/> Petechiae on ear(s)
<input type="checkbox"/> Petechiae	<input type="checkbox"/> Petechiae to L eye	<input type="checkbox"/> Scratch(es) or abrasion(s)	<input type="checkbox"/> Bleeding from ear(s)
<input type="checkbox"/> Scratch(es) or abrasion(s)	<input type="checkbox"/> Petechiae to R eyelid	<input type="checkbox"/> Swelling	<input checked="" type="checkbox"/> Bruising/dyscoloration/ petechiae behind ear(s)
<input type="checkbox"/> Sweating	<input type="checkbox"/> Petechiae to L eyelid	<input type="checkbox"/> Other	<input checked="" type="checkbox"/> Swelling
<input type="checkbox"/> Bruising	<input type="checkbox"/> Blood in eyeball(s)		<input checked="" type="checkbox"/> Other <u>bruising behind right ear</u>
<input type="checkbox"/> Other	<input type="checkbox"/> Other		
Explain other _____			

MOUTH	UNDER CHIN	CHEST	SHOULDERS
<input type="checkbox"/> Bruise(s)	<input type="checkbox"/> Redness	<input type="checkbox"/> Redness	<input type="checkbox"/> Redness
<input type="checkbox"/> Swollen tongue	<input type="checkbox"/> Scratch(es)/abrasion(s)	<input type="checkbox"/> Scratch(es)/abrasion(s)	<input type="checkbox"/> Scratch(es)/abrasion(s)
<input type="checkbox"/> Swollen lip(s)	<input type="checkbox"/> Laceration(s)	<input type="checkbox"/> Laceration(s)	<input type="checkbox"/> Laceration(s)
<input type="checkbox"/> Scratch(es)/abrasion(s)	<input type="checkbox"/> Bruise(s)	<input type="checkbox"/> Bruise(s)	<input type="checkbox"/> Bruise(s)
<input type="checkbox"/> Other	<input type="checkbox"/> Fingernail impression(s)	<input type="checkbox"/> Other	<input type="checkbox"/> Other
	<input type="checkbox"/> Other		

NECK	HEAD
<input type="checkbox"/> Redness	<input type="checkbox"/> Petechiae on scalp or head
<input type="checkbox"/> Tenderness/pain	<input type="checkbox"/> Laceration(s)
<input type="checkbox"/> Finger mark(s)	<input type="checkbox"/> Scratch(es)/abrasion(s)
<input type="checkbox"/> Scratch(es)/abrasion(s)	<input type="checkbox"/> Hair pulled
<input type="checkbox"/> Fingernail impression(s)	<input type="checkbox"/> Bump(s)
<input type="checkbox"/> Bruise(s)	<input type="checkbox"/> Other
<input type="checkbox"/> Ligature mark(s)	
<input type="checkbox"/> Petechiae	
<input type="checkbox"/> Swelling	
<input type="checkbox"/> Other	

PLEASE TAKE PHOTOGRAPHS

Diagram all injuries on the Victim



Describe any other injuries or symptoms _____

I affirm this information was written by Officer MARSUDA and is true and correct.

*Please review entire form and attached V.V.S. (MPD Form 100) p

Print Name _____

Signature _____

Signature of Witnessing Officer _____

Employee No. 15576Date 10/17/20Time 21:37 Hours

MAUI COUNTY POLICE DEPARTMENT

WARNING CITATION

ABUSE OF FAMILY OR HOUSEHOLD MEMBER

DISTRICT: 1 BEAT: 22 CENSUS: [REDACTED] REPORT NO.: 20-037327
 NAME: KAULANA ALO KAONOHI ALIAS: _____
 STREET ADDRESS: [REDACTED]
 SEX: M DOB: [REDACTED] AGE: 30 HGT.: 5'9 WGT.: 230
 TATTOOS/SCARS/OTHER MARKS: _____

Having reasonable grounds to believe that there has been physical abuse and/or physical harm, and there is probable danger of further physical abuse, or further physical harm upon

[REDACTED] by: KAULANA ALO KAONOHI;
 (name of victim) (name of violator)

KAULANA ALO KAONOHI is hereby ordered to leave the premises
 (name of violator)

located at: [REDACTED] for a period of separation which expires on:

10/20/20 at: 6:00 AM/PM. He/she will be allowed to enter the premises on one occasion with police escort to collect any necessary personal effects. You are not to initiate contact with the victim directly or through a third party. Contact is to include in person, telephone, writing or electronic contact (by recorded message, pager, text message, e-mail, etc.) P.K. (initial)

Refusal to comply with this order to leave, or return to the premises before the expiration of this warning citation shall result in arrest. Refusal to comply with this order is a misdemeanor punishable by a maximum penalty of one (1) year in jail and/or a maximum fine of \$2,000.00 and a minimum jail sentence of 48 hours and domestic violence treatment counseling.

DATE OF ISSUE: 10/17/20 TIME OF ISSUE: 2248/10:48 AM/PM.
 LOCATION OF ISSUANCE: 55 MAITALANE ST. WAILUKU
 ISSUED BY OFFICER: C. MASUDA EMPLOYEE NO.: 15516

White - Police Copy
 Yellow - Violator's Copy
 Pink - Victim's Copy

MPD FORM NO. 101 (01/14)

MAUI COUNTY POLICE DEPARTMENT

YOUR CONSTITUTIONAL RIGHTS

TO: KAWLANA ALO KAONOHI POLICE REPORT NO.: 20-057327

(Print or type name of person warned)

WARNING OF RIGHTS

Before we ask you any questions, we want to tell you about your rights. KK

You have the right to remain silent. KK

Anything you say can be used against you in court. KK

You have the right to talk to a lawyer for advice before we ask you any questions and to have your lawyer with you during questioning. KK

If you cannot afford a lawyer one will be appointed for you before any questioning. KK

(Additional Warnings to Juveniles)

You have the right to talk to your parents, guardians, or any other adult before you are asked any questions and to have any one of them present with you during questioning. _____

In certain instances, you may be subject to the same penalties and punishment as an adult. _____

I understand the English language. I have read and heard this statement of my rights and I understand what my rights are.

Signed [Signature]

Date 10/17/20 Time 10:38 pm

Would you like to waive your rights and speak with me now? YES KK NO _____

Warnings given by [Signature] ISS/6 Date 10/17/20 Time 2233 hours

Witness _____ Date _____ Time _____

REPORT NO. 20-037327
DIST. NO. 1

MAUI POLICE DEPARTMENT

ACKNOWLEDGEMENT OF BAIL BOND BEING SET

NAME OF
DEFENDANT:
CHARGE:

KIAULANA ALO KAONOHU
709-906 FELONY ABUSE STRANGULATION
709-906 FELONY ABUSE IN THE PRESENCE OF A MINOR UNDER 14 YEARS OLD.
(Section of Law) (Offence)

CHARGE PLACED BY: SGT. D. ARNDT
(Name of Officer)

10/17/20 0255 Hours
(Date & Time)

Bail of \$10,000.00 has been set in accordance with Minute Order No. 70, "In the Matter of the Setting of and Admitting to Bail of Accused Person's," issued by the Judge of the second Circuit Court, Wailuku, Maui, Hawaii.

I hereby acknowledge that the above
information was furnished to the undersigned at

WAILUKU Maui, Hawaii.

Kahe M. Ken.
(Signature of Defendant)

Date: 10/17/20

Time: 2246 Hours

Witnessed by:

[Signature] 18516

User: CPMAS

Maui Jail Division

10/17/2020 23:28:31

Print Screening
Inmate Suicide Screening Report

Booking #: 2003838

Inmate: ALO KAONOH, KAULANA

Race: H

Sex: M

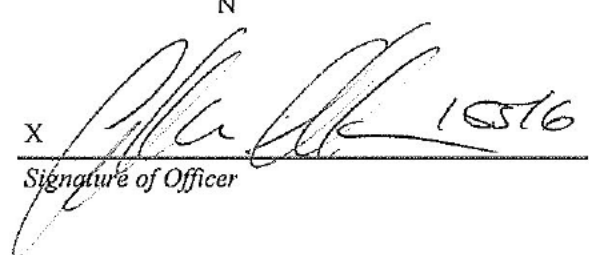
DOB: [REDACTED]

Screening Officer: (15516) MASUDA, CHARLES-BLASE P

Date/Time 10/17/2020 23:28:16

Q. #	Question	Answer	Notes
1	Does the officer believe the detainee is a medical, mental or suicide risk now?	N	
2	Observation of Assaultive Behavior?	N	
3	Observation of loud or obnoxious behavior?	N	
4	Observation of any noticable scars?	N	
5	Observation of bizarre behavior?	N	
6	Observation of alcohol or drug withdrawal?	N	
7	Observation of unusual suspiciousness?	N	
8	Observation of hearing or seeing voices or visions?	N	
9	Observation of pain or injury? If YES, explain	N	
10	Observation of other signs of depression?	N	
11	Observation of crying or tearful?	N	
12	Observation of confusion?	N	
13	Observation of being uncooperative?	N	
14	Observation of being passive?	Y	
15	Observation of being intoxicated?	N	
16	Observation of being scared?	N	
17	Observation of being incoherent?	N	
18	Observation of being embarrassed?	N	
19	Observation of body deformities?	N	
20	Was treatment refused? Yes or No		

X



Signature of Officer

User: RBDELA

Maui Jail Division

10/17/2020 22:27:06

Print Screening
Inmate Medical Screening Report

Booking #: 2003838

Date/Time: 10/17/2020

Inmate: ALO KAONOHU, KAULANA

Race: H

Sex: M

DOB [REDACTED]

SSN: [REDACTED]

Screening Officer: (30800) DELA CRUZ, ROEL ANDREI B

Date/Time 10/17/2020 22:25:55

Reviewed By (Nurse): _____

Date: _____

Time: _____

Q. #	Question	Answer	Notes
1	Observation of assaultive behavior?	N	
2	Observation of loud or obnoxious behavior?	N	
3	Observation of any noticeable scars?	N	
4	Observation of any bizarre behavior?	N	
5	Observation of alcohol or drug withdrawal?	N	
6	Observation of unusual suspiciousness?	N	
7	Observation of hearing or seeing voices or visions?	N	
8	Observation of pain or injury? If YES, explain	N	
9	Observation of other signs of depression?	N	
10	Observation of crying or tearful?	N	
11	Observation of being confused?	N	
12	Observation of being uncooperative?	N	
13	Observation of being passive?	Y	
14	Observation of being intoxicated?	N	
15	Observation of being scared?	N	
16	Observation of being incoherent?	N	
17	Observation of being embarrassed?	N	
18	Observation of deformities	N	
19	Are you currently under a physician's care? If yes, explain.	N	
20	Are you currently pregnant? If yes, how many months?	N	
21	Are you currently taking medications? If yes, list type(s), dosage(s), frequency and for what condition.	N	
22	Do you suffer from Hepatitis?	N	
23	Do you suffer from shortness of breath?	N	
24	Was detainee a medical, mental or suicide risk during any prior arrest or confinement with the Maui Police Department?	N	
25	Do you suffer from abdominal pains?	N	
26	Do you suffer from high blood pressure?	N	
27	Do you suffer from tuberculosis?	N	
28	Do you suffer from schizophrenia?	N	
29	Do you suffer from alcohol addiction?	N	
30	Do you suffer from epilepsy or blackouts?	N	

Inmate: ALO KAONOH, KAULANA

Race: H

Sex: M

DOB: [REDACTED]

SSN: [REDACTED]

Screening Officer: (30800) DELA CRUZ, ROEL ANDREI B

Date/Time 10/17/2020 22:25:55

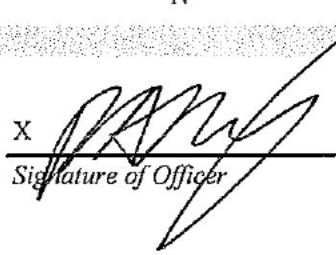
Reviewed By (Nurse): _____

Date: _____

Time: _____

Q. #	Question	Answer Notes
31	Do you suffer from heart disease?	N
32	Do you suffer from chest pains?	N
33	Do you suffer from ulcers?	N
34	Do you suffer from major depression?	N
35	Do you suffer from venereal disease?	N
36	Do you suffer from diabetes?	N
37	Do you suffer from drug addiction?	N
38	Do you suffer from asthma?	N
39	Do you suffer from bipolar disease?	N
40	Do you suffer from any other medical condition?	N
41	Have you ever attempted suicide? If yes, when, how and why?	N
42	Have you ever considered suicide? If yes, when and why?	N
43	Are you now or have you ever been treated for mental health or emotional problems? If yes, when?	N
44	Were you treated as an inpatient?	N
45	Were you treated as an outpatient?	N
46	What condition were you treated for?	N
47	Have you recently experienced a significant loss (job, death of a family member or close friend, relationship, etc.) If yes, explain.	N
48	Has a family member or close friend ever attempted to commit suicide? If yes, explain.	N
49	Do you feel that there is nothing to look forward to in the immediate future? (Expressing helplessness or hopelessness). If yes, explain.	N
50	Are you thinking of killing yourself? If yes, explain.	N
51	Was treatment refused? Yes or No	

X


Signature of Officer

#30800

User: RBDELA

Maui Jail Division

10/17/2020 22:27:32

Taken Property Receipt

INMATE PROPERTY TAKEN FORM

Inmate name: ALO KAONOH, KAULANA KAPEHEHOLANADate: Time: 10/17/2020 22:27:13Arresting Agency: MPDBooking #: 2003838

Item	Qty	Received From	Received Date	Bin Location
IDENTIFICATION / OTHER ID (SEE NOTES) Note: Hawaii State Id	1.00	Alo Kaonohi, Kaulana	10/17/2020	JAIL WAILUKU STORAGE CLOSET 1

I, Russell, Michael D hereby receive the listed items of personal property belongingto: ALO KAONOH, KAULANA KAPEHEHOLANADate: 10/17/2020 22:27:13All of the items of personal property listed above have been received on 10/17/2020.

Received From X

Signature

Taken By X

Officer Signature

Print

User: JPWRI

Maui Jail Division

10/18/2020 00:42:09

Return Property Receipt

INMATE PROPERTY RELEASE FORM

Inmate name: ALO KAONOH, KAULANA KAPEHEHOLANADate: Time: 10/18/2020 00:41:35Arresting Agency: MPDBooking #: 2003838

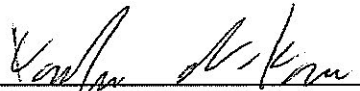
Item	Qty	Return To	Return Date	Bin Location
IDENTIFICATION / OTHER ID (SEE NOTES) Note: Hawaii State Id	1.00	Alo Kaonohi, Kaulana	10/18/2020	JAIL WAILUKU STORAGE CLOSET 1

I, Wright, Jamie P hereby release the listed items of personal property belonging
to: ALO KAONOH, KAULANA KAPEHEHOLANA Date: 10/18/2020 00:41:35

All of the items of personal property listed above have been released on 10/18/2020.


Released To: X

Signature



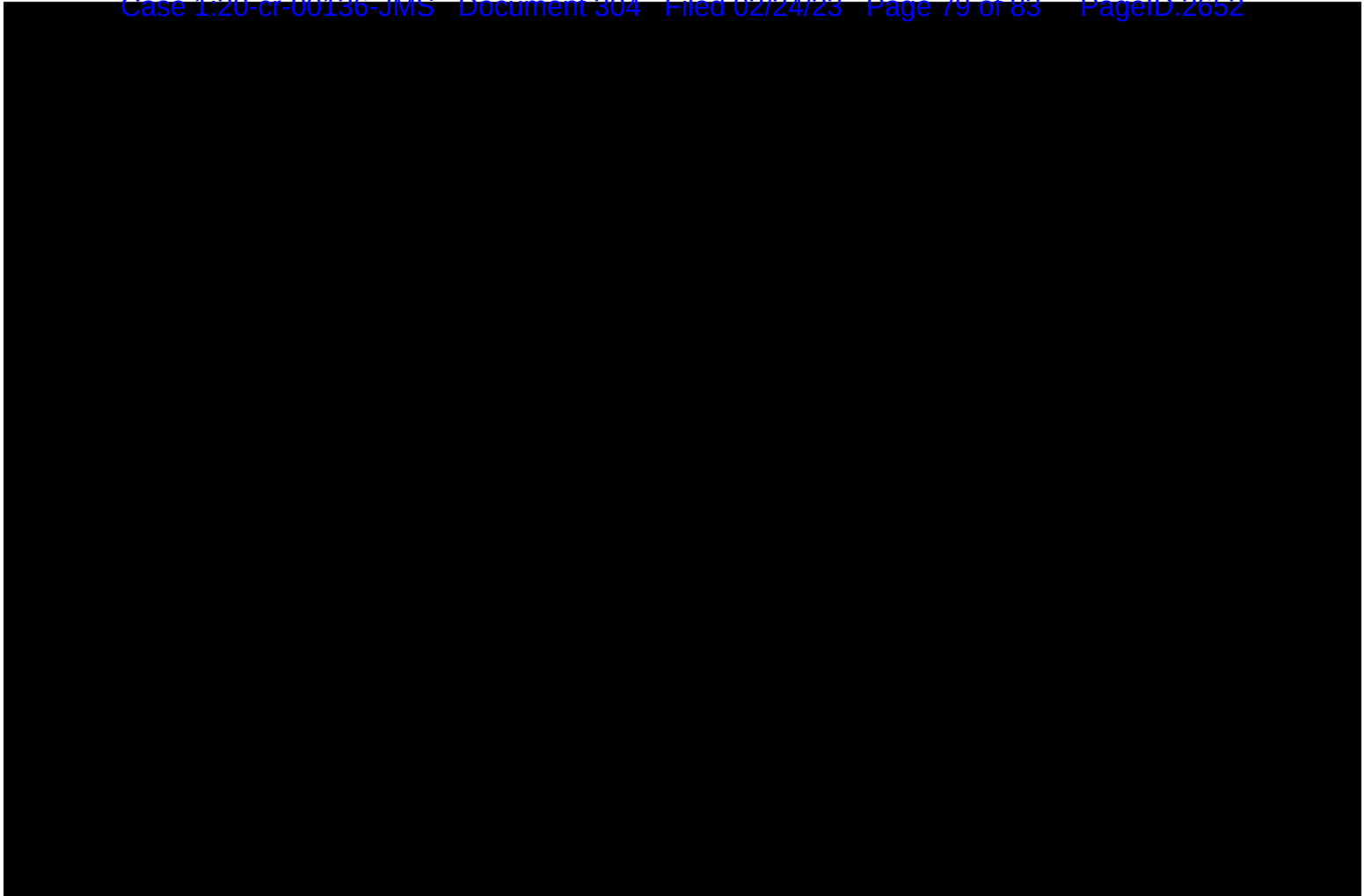
Released By: X

Officer Signature



Print

Kaulana alo-kaonohi



MAUI COUNTY POLICE DEPARTMENT

OBTS/CCH TRANSMITTAL/ARREST REPORT

☐ P.S. BOOKING
 ☐ A.G. CASE
 ☐ OTHER
ARREST NO
20-005855

STATE ID. NO		POLICE DEPT HI HI0050000		BOOKING NUMBERS 20-03838		OBTS TRACK NG NO		INCIDENT NO. 20-037327	
DEFENDANT'S LAST NAME ALO KAONOHI, KAULANA		FIRST MIDDLE	SEX M	RACE H	AGE 30	DOB	HT 5-09	WT 230	HAIR BROWN
AKA (ALIAS) KAONOHI, KAULANA		SSN		OCCUPATION		EMPLOYER/LAST EMPLOYED			
ADDRESS [REDACTED], HI [REDACTED]		RES PHONE		BIRTHPLACE HAWAII		CITIZEN US	YRS IN STATE 30	MARITAL SINGLE	
PLACE OF OFFENSE N Firebreak Rd / Haleakala Hwy, Kahului, HI		DATE 10/17/2020		TIME 20:30		SOBRIETY 1		ALCOHOL	
PLACE OF ARREST/BOOKING N Firebreak Rd / Haleakala Hwy, /WAILUKU		DATE 10/17/2020		TIME 22:02		COURT DATE/TIME MF1		2020-11-10/08:00	
ARRESTED FOR	FINAL CHARGE	MOD	CLASS	REPORT NO	BAL SET	HOW RELEASED	BAIL POSTED	BY WHOM	RECEIPT NO
1 FELONY ABUSE OF	709-0906		FC	20-037327-001	5000	RBL	5000	24 HR BAIL	352849
2 FELONY ABUSE OF	709-0906		FC	20-037327-002	5000	RBL	5000	24 HR BAIL	352849
3									
4									
5									
COMPLAINANT LAST NAME	FIRST NAME	SEX	HOME ADDRESS (STREET, CITY, STATE)				VISITOR	RES PHONE	BUS PHONE
1 [REDACTED]		F	[REDACTED] HI [REDACTED]				N	[REDACTED]	
2 [REDACTED]		F	[REDACTED] HI [REDACTED]				N	[REDACTED]	
3									
4									
5									
ARRESTED BY (15516) MASUDA, CHARLES-BLASE		ASSISTED BY		HOW ARRESTED INVESTIGATION		WARRANT NO		BOOKED BY (15521) RUSSELL,	
DATE BOOKED 2020-10-17		TIME BOOKED 22:19		TRANSPORTED BY (15516) MASUDA,		WARRANT CHECK BY (15516) MASUDA,		APPARENT INJURIES (DESCRIBE) NONE OBSERVED OR COMPLAINED OF	
TREATMENT REFUSED		CUSTODIAL SEARCH (30800) DELA CRUZ,		V YEAR MAKE		MODEL		COLOR	
LIC NO		STATE		DISPOSITION OF VEHICLE		DISPOSITION OF KEYS			
REGISTERED OWNER LAST NAME		FIRST		DRIVER'S LICENSE NO HI [REDACTED]		HOLD FOR INVESTIGATION (LAST NAME) CID		CHARGED BY (13830) ARNDS, DENNIS L	
RELEASED BY (15185) PIGAO, MELVIN R		DATE RELEASED 10/18/2020		TIME RELEASED 00:56		VICE OTHER		DATE/TIME CHARGED 10/17/2020 / 22:16	

SYNOPSIS (DOCUMENT FACTUAL EVIDENCE FOR EACH OFFENSE)

On 10/17/20 at approximately 2020 hours, the Defendant identified as Kaulana ALO KAONOHI was involved in a physical altercation with his girlfriend, and mother of their one-year-old child, [REDACTED] within her vehicle bearing Hawaii State license plates LFS-951 which was stopped on the shoulder of the roadway on Haleakala Highway and North Firebreak Road in Kahului, County of Maui, State of Hawaii. ALO KAONOHI grabbed [REDACTED] by the hair and pulled her head down into the passenger's seat of the vehicle. As the altercation continued, ALO KAONOHI pushed [REDACTED]'s head backwards by her hair, causing her breathing to be impeded for approximately five seconds. Due to this incident, [REDACTED] sustained pain to her head and a small abrasion behind her right ear. This incident was witnessed by their one-year-old son who was seated within the car seat in the vehicle.

On 10/17/20 at about 2202 hours, on the shoulder of Haleakala Highway and North Firebreak Road in Kahului, County of Maui, State of Hawaii, Kaulana ALO KAONOHI was placed under arrest for the offenses of FELONY ABUSE OF A FAMILY OR HOUSEHOLD MEMBER PHYSICAL WITH INJURY - STRANGULATION, FELONY ABUSE OF A FAMILY OR HOUSEHOLD MEMBER PHYSICAL WITH INJURY IN THE PRESENCE OF A MINOR. ALO KAONOHI was transported to the Wailuku Police Station without incident.

REPORT WRITTEN BY (15516) MASUDA, CHARLES-BLASE P	DATE 10/17/2020	TIME 23:10	SUPERVISOR APPROVING (13830) ARNDS, DENNIS L	EMP NO 13830
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POLICE COPY - ORIGINAL

Exhibit B

██████████ Victim Impact Statement dictated to Melissa Milam, Victim Services Coordinator with the Department of Justice's Civil Rights Division on February 24, 2023.

Your Honor,

This incident happened 9 years ago. I am really trying to get my life back. A lot has happened to me throughout my life. ██████████. Then a couple of other things happened to me that were difficult. Then in 2014 this happened because of Kaulana. He attacked me from behind and this severely traumatized me. It made me afraid to go out – I couldn't even get out of my house to see my aging parents in ██████████.

What Kaulana did to me, totally ruined my life. I remember it like it was yesterday. It was July 20th at 1:20 in the morning that he attacked me from behind and I watched the video of the assault – I have watched it more than 1000 times and I still can't understand why he did this to me. ██████████. He was vicious and I don't know why. No reason for this behavior. He is clearly a very angry man.

My question is why? Why would someone do this to me? I was nearly a dead man.

I want you to know that I was traumatized and I have PTSD. I still think about this and every time I hear from someone about this case, it takes me right back to July 20th. I can't get this out of my mind. For the first five or six years after this vicious assault, I couldn't even go out. This affected ██████████, my job, my dog – it affected everything. I really want to be at this upcoming sentencing to support C ██████████ K ██████████ who I now see as a brother, but it is very painful for me to keep thinking about this and talking about this.

I truly believe that if the police had done what they were supposed to have done to get Kaulana after what he did to me, I wouldn't even be here talking about the impact that this has had on me because he would have been consequenced and not able to do what he did to me.

No amount of money would cure the problems that I still have to day. The more I watch the video of C ██████████ K ██████████, the more I remember what happened to me and the more I feel traumatized.

I do believe he has to pay the consequence. Eight years in prison is not enough for this behavior. I almost lost my life only because I was born with white skin. I didn't even have a chance to defend myself. He is a coward.

I have been diagnosed with Stage 4 PTSD – I saw 9 different doctors including a physical therapist, a mental health doctor, a chiropractor, my family doctor and went countless times to my lawyer's office. I spent so much time dealing with all of this. The left side of my head is permanently damaged– I continue to have pain and continual headaches and pain throughout my body – especially back pain. I had 5 stitches due to a head injury. My nose still gives me trouble because it was cracked. The physical pain is always there. The worst pain is the emotional pain. Even talking about this is really painful for me. I am disappointed with the system and disappointed with human beings in general. Who gives one human

being the right to harm another human being? I didn't even know him and he walked up to me and viciously attacked me.

Kaulana honestly made me change as a person – I used to be shy and because of what he did to me, he makes me want to speak up and talk and tell people to watch their surroundings and he has made me stronger in that I know I have to keep going in my life. I am a warrior and in spite of everything that he did to me, I will keep going.

Sincerely,

A black rectangular redaction box covering the signature.